

**BRUNSWICK TOWN COUNCIL MINUTES**  
**September 5, 2000**  
**MUNICIPAL MEETING FACILITY**

**6:30 P.M.**

**Councilor Wilson moved, Councilor Moll seconded, to enter into executive session to discuss the possible acquisition of property. The motion carried with eight (8) yeas. Councilor Feldman joined later.**

**7:30 P.M.**

Chair McCausland called the meeting to order and asked for the Pledge to the Flag.

**Councilors Present:** Chair McCausland, Michael Feldman, Eleanor Swanson, Robert Galloupe, Timothy Dotts, Clement Wilson, Faith Moll, Forrest Lowe, and David Gleason.

**Councilors Absent:** None

**Others Present:** Donald Gerrish, Town Manager; Melissa L. Smith, Acting Town Clerk; Robert Tripp, Assessor; Jerry Hinton, Police Chief; Thomas Farrell, Director of Parks and Recreation; Theo Holtwijk, Director of Planning and Development; several citizens, members of the press and TV video crew.

**Minutes of Previous Meetings: August 7, 2000**

**Councilor Wilson moved, Councilor Lowe seconded, to approve the minutes of August 7, 2000. The motion carried with nine (9) yeas.**

**Correspondence:**

1. **Letter of Resignation from Robert G. Tripp, Assessor.** Manager Gerrish read Mr. Tripp's letter announcing his retirement on October 6, 2000 after 26 years of service to the Town of Brunswick. Mr. Gerrish stated that he has known Bob since 1974 and that he is an exceptional and highly professional individual who has done an outstanding job as the Tax Assessor. *A copy of the letter will be attached to the official minutes.*
  
2. **Letter from Paul Bird, Town Administrator for Harpswell, regarding Family Motor Coach Association.** Manager Gerrish read a portion of Mr. Bird's letter that acknowledges Police Chief Jerry Hinton's contribution. Mr. Gerrish stated that he wanted to add his complements to the chief and his staff for a job well done. He received favorable comments from the Governor and many citizens inside and outside of Brunswick. Mr. Hinton responded that the department enjoyed working with the Motor Coach Association. He also stated that the state police, local police departments, and sheriff departments across the state all pulled together so that the Motor Coach Association could have a very successful convention. This was the largest convention that the Motor Coach Association had ever had with 7,422 motor coaches. Chief Hinton heard many favorable comments from individuals in the Association. *A copy of the letter will be attached to the official minutes.*

Councilor Moll praised the Brunswick Police Department for their initiative in protecting their newborn citizens with safety seat inspections by a trained technician.

**Manager's Report:**

1. **Financial Update --** Manager Gerrish stated that two months into the fiscal year the expenditures are normal. The first two months of excise tax collection are about \$10,000 less than last year. The revenue sharing from the state is as expected.

2. **Correct Minutes of June 5, 2000 meeting regarding personal property taxes being payable in full on October 16, 2000** – The budget resolution adopted at the June 5, 2000 Council Meeting had listed the due date for personal property taxes as being payable in full on October 16, 1999. *A copy of the page of the budget resolution will be attached to the official minutes.*

**Councilor Feldman moved, Councilor Wilson seconded, to correct the budget resolution to October 16, 2000. The motion carried with nine (9) yeas.**

3. **Stream Mapping Report** – The Council appropriated funds to do a study of the streams in the community. The current map was not as accurate as it could be. A company was hired to do an investigation of these streams, which started last year, and a preliminary report is done. Notices have been sent out to property owners informing them that some of this area will be reviewed for the streams. A full presentation on the Stream Mapping will be made at a later date.
4. **Finance Director John Eldridge appointed Trustee of the Maine State Retirement System** – Manager Gerrish stated that John Eldridge was nominated by the Governor and appointed by the State Senate as one of the seven Trustees of the Maine State Retirement System. Mr. Gerrish congratulated Mr. Eldridge, stating that he would do a fine job overseeing the retirement system.

**Adjustments to the Agenda:** None

147. **The Town Council will hear public comments on the following requests for Victualer Licenses and take any appropriate action.**

**RENEWAL**

Theodore Crooker & Andrianna Crooker d/b/a Adrie's Stand  
Grover Lane or 1 Water Street

Theodore Crooker

**NEW**

Hospitality Concepts LLC d/b/a Player's Pub  
1 Center Street

Peter Therriault

The Public Hearing opened at 7:55 p.m. The Public Hearing closed at 7:55 p.m.

**Councilor Wilson moved, Councilor Dotts seconded, to approve the victualer licenses as advertised. The motion carried with nine (9) yeas.**

148. **The Town Council will hear public comments on the following requests for Alcoholic Beverage Licenses and take any appropriate action.**

**NEW**

**FULL TIME MALT, VINOUS, AND SPIRITUOUS**

Hospitality Concepts, LLC d/b/a Player's Pub  
1 Center Street

Peter M. Therriault

**RENEWALS  
FULL TIME MALT, VINOUS, AND SPIRITUOUS**

The Great Impasta, Inc. d/b/a The Great Impasta  
42 Maine Street Alisa Baker Coffin

Clare's Dolphin Restaurant, Inc. d/b/a Joshua's Restaurant and Tavern  
121A Maine Street Thomas J. Siatras

Dunbarton, Inc. d/b/a McGillicuddy's  
103 Pleasant Street JoAnne Gillies

MacMillan & Co. LLC d/b/a MacMillan & Co.  
94 Maine Street John Hall

Richard's Restaurant, Inc. d/b/a Richard's Restaurant  
115 Maine Street Richard A. Gnauck

**FULL TIME MALT**

Sam's Italian Foods, Inc. d/b/a Sam's Italian Sandwich Shoppe  
Rt. 24 Cook's Corner Gerald C. Clements

The Public Hearing opened at 7:56 p.m. The Public Hearing closed at 7:56 p.m.

**Councilor Dotts moved, Councilor Wilson seconded, to approve the Alcoholic Beverage licenses as advertised. The motion carried with nine (9) yeas.**

**149. The Town Council will hear public comments on the following requests for Special Amusement Licenses and take any appropriate action.**

**RENEWALS**

Clare's Dolphin Restaurant, Inc. d/b/a Joshua's Restaurant and Tavern  
121A Maine Street Thomas J. Siatras

Dunbarton, Inc. d/b/a McGillicuddy's  
103 Pleasant Street JoAnne Gillies

MacMillan & Co. LLC d/b/a MacMillan & Co.  
94 Maine Street John Hall

Richard's Restaurant, Inc. d/b/a Richard's Restaurant  
115 Maine Street Richard A. Gnauck

**NEW**

Hospitality Concepts, LLC d/b/a Player's Pub  
1 Center Street Peter M. Therriault

The Public Hearing opened at 7:59 p.m. The Public Hearing closed at 7:59 p.m.

**Councilor Wilson moved, Councilor Dotts seconded, to approve the Special Amusement licenses as advertised. The motion carried with nine (9) yeas.**

150. The Town Council will hear public comments on the following requests for Innkeeper's License and take any appropriate action.

**NEW**

Shree Krishna, LLC d/b/a Econo Lodge  
215 Pleasant Street

Haresh Patel

The Public Hearing opened at 8:00 p.m. The Public Hearing closed at 8:00 p.m.

**Councilor Lowe moved, Councilor Dotts seconded, to approve the Innkeeper's License as advertised. The motion carried with nine (9) yeas.**

151. The Town Council will receive a report from the Planning Department regarding marinas and take any appropriate action.

Director of Planning and Development Theo Holtwijk paraphrased the Planning Board Marina Recommendations dated September 1, 2000. *A copy of the memo will be attached to the official minutes.* Edward Hawes, vice-chair from the Planning Board, was also present to answer questions from the Council. There was much discussion on Best Management Practices for boatyards and marinas (BMP's). Mr. Gerrish read the memo from Alan Houston, Natural Resources Planner, to the Planning Board, dated August 21, 2000. *A copy of the memo will be attached to the official minutes.* Mr. Hawes stated that BMP's are a work in progress. The Planning Board felt that adopting them would be premature. The Council asked Mr. Hawes to explain the difference between special exception and special permit. Mr. Hawes did. Mr. Holtwijk added another difference is that the Zoning Board of Appeals reviews a special exception and the Planning Board reviews a special permit. After much discussion, **Councilor Moll moved, Councilor Swanson seconded, to set a public hearing for September 18, 2000 to increase maximum impervious surface coverage allowable for Marinas in the Coastal Protection Zone (CP1) from 5% to 25% and to require additional measures to manage storm water runoff quantity and quality.** After more discussion, the consensus of the Council was to incorporate all in one package. Councilor Moll withdrew her motion, Council Swanson agreed. The Council decided to table this issue for about 4 to 6 weeks. Mr. Holtwijk recapped what information he understood the Council requested. 1) written explanation from the Maine Department of Environmental Protection regarding its position on the BMP's, 2) review from the Harbor Master/Natural Resources Planner on all sections of the BMP, 3) reviews of BMP's of other New England States (MA, RI, NH), and 4) list of permit requirements for marinas (previously distributed). Manager Gerrish agreed with Mr. Holtwijk's recap.

152. The Town Council will discuss Mr. Andrew Atripaldi's request regarding signs and take any appropriate action.

Mr. Atripaldi stated that he had lived in the Town for 42 years. He has been trying to get a decision from the Council regarding a larger directional sign for his restaurant at either end of Cushing Street. His business is dying since the no smoking law came into effect. Mr. Atripaldi stated that the current sign is too small to see.

This sign has three-inch letters and he would like six-inch letters. Manager Gerrish stated that the size of the directional signs is dictated by the State and the Brunswick sign ordinance has restrictions on off-premise signs. Mr. Atripaldi would like the Council to change the sign ordinance so that he can have a larger sign. The Council took no action. *A copy of Mr. Atripaldi's letter will be attached to the official minutes.*

- 153. The Town Council will consider authorizing the Town Manager to sign a Purchase & Sale Agreement with Frank Goodwin and Norm Davis for property off Middle Bay Road and take any appropriate action.**

Manager Gerrish announced there was a tentative agreement with Frank Goodwin and Norm Davis to purchase approximately 100 acres of land that abuts the Town Commons. This is part of the process the Town has been working on for the trails program from the river to the ocean. This property is a key parcel for future development. Mr. Gerrish is proposing that the Council authorize him to sign a purchase and sale agreement to buy two five-acre lots (Map 24, lot 44 and lot 40). The Town will buy one lot for \$49,900 and the other for \$45,000. The Town would take an option on approximately 80-85 acres of the remaining property behind these lots for a price of \$355,000. The option would be for nine months. The option would cost \$10,000 but if the Town buys the property the \$10,000 would go toward the purchase price. The Town would work with a citizens group, The Friends of the Commons, to raise half the cost of buying this property, which would be \$225,000.

**Councilor Lowe moved, Councilor Moll seconded, to authorize the Town Manager to sign a Purchase and Sale Agreement with Frank Goodwin and Norm Davis for property off Middle Bay Road. The motion carried with nine (9) yeas.**

- 154. The Town Council will consider setting a public hearing to amend the Traffic and Vehicles Ordinance relative to No Overnight Parking on Boody Street, Longfellow Avenue, and Park Row and take any appropriate action.**

Police Chief Jerry Hinton stated that Park Row, South Street, Longfellow Avenue and Maine Street would be overnight parking restricted areas. (15-73 Overnight Parking Restricted) and Boody Street would be a no parking area. (15-74 No Parking Areas). This will help eliminate the Bowdoin College students from parking in these areas all night and day.

**Councilor Lowe moved, Councilor Feldman seconded, to set a public hearing for September 18, 2000 to consider the proposed amendment to the Traffic and Vehicles Ordinance relative to Section 15-73 Overnight Parking Restricted and 15-74 No Parking Areas on a regular and emergency basis. The motion carried with nine (9) yeas.**

- 155. The Town Council will consider approving a Municipal Quitclaim Deed for Kenneth Varney and take any appropriate action.**

**Councilor Wilson moved, Councilor Feldman seconded, to approve the Municipal Quitclaim Deed for Kenneth Varney. The motion carried with nine (9) yeas.**

*A copy of the deed will be attached to the official minutes.*

- 156. The Town Council will receive a recommendation to amend the Personnel Ordinance relative to the Educational Assistance Plan regarding "Covered Costs" and take any appropriate action.**

Manager Gerrish explained that this is a policy not an ordinance and would like the Council to approve the changes. *A copy of the memo will be attached to the official minutes.*

**Councilor Wilson moved, Councilor Swanson seconded, to approve the changes to the Personnel Policy relative to the Educational Assistance Plan regarding "Covered Costs". The motion carried with nine (9) yeas.**

157. The Town Council will consider making appointments to the following boards and committees:

**CABLE TELEVISION COMMITTEE**

5 CITIZEN MEMBERS – Three-year terms to expire 09/06/03

Councilor Moll nominated Charles R. Priest for reappointment.

**Councilor Moll moved, Councilor Wilson seconded, that nominations cease and that the Chair cast one vote for Charles R. Priest. The motion carried with nine (9) yeas.**

**FIFTY-FIVE PLUS CENTER BOARD OF TRUSTEES**

1 FULL MEMBER – Balance of three-year term to expire 07/01/01

Councilor Moll nominated Sandra Morrell Rooney.

**Councilor Moll moved, Councilor Wilson seconded, that nominations cease and that the Chair cast one vote for Sandra Morrell Rooney. The motion carried with nine (9) yeas.**

**WATER DISTRICT TRUSTEES**

2 FULL MEMBERS – Three-year terms to expire 09/13/03

Councilor Wilson nominated Richard S. Moll and Harold B. Hutchinson for reappointment.

**Councilor Wilson moved, Councilor Dotts seconded, that nominations cease and that the Chair cast one vote each for Richard S. Moll and Harold B. Hutchinson. The motion carried with eight (8) yeas, Councilor Moll Abstained.**

The meeting adjourned at 9:35 p.m.

*PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A TAPE RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.*

Melissa L. Smith, Acting Town Clerk  
September 8, 2000

*September 18, 2000*

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Date of approval

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Council Chair