

BRUNSWICK TOWN COUNCIL

MEETING MINUTES

MONDAY, JUNE 3, 1996
Municipal Meeting Room
Old Brunswick High School

7:30 P.M.

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

Councilors Present: Chair Stephen McCausland, Michael Feldman, Eleanor Swanson, Robert Galloupe, Leon Laffely, Clement Wilson, Faith Moll, Ervin Snyder and David Gleason.

Others Present: Donald Gerrish, Town Manager; Deborah Cabana, Town Clerk; Jerry Hinton, Police Chief; Jim Ashe, Superintendent of Schools; John Foster, Town Engineer; Tom Farrell, Director of Parks and Recreation; Casco Cable TV; and various members of the public.

Minutes of Previous Meeting:

Councilor Snyder moved, Councilor Wilson seconded to approve the Town Council minutes of May 20, 1996 as presented. The motion carried with eight (8) yeas and one abstention - Councilor Moll.

Correspondence: There was no correspondence.

Manager s Report:

- 1) 1996-97 Proposed Budget - Public Hearing on 6/6/96. Manager Gerrish reminded Council that the Public Hearing for the 1996-97 Proposed Budget is scheduled for 7:00 p.m., Thursday, June 6, 1996 at the Council Meeting Room. There will be a notice in the Times Record on May 31, 1996 and on June 5, 1996.**
- 2) 1995/96 Budget - Manager Gerrish stated that with one month left in the current budget, he anticipated revenues to exceed budget by \$250,000 and he anticipated an expenditure savings of approximately \$150,000. The overall savings for this budget would be around \$400,000 which would go to the undesignated fund balance.**
- 3) Chief Hinton introduced four new employees to the Council. Chief Hinton introduced the following new police officers to the Council: Andrea R. Jones of Portland, Kenneth A. Bailey of Camden, Steven C. Cribby of Kittery, and Bruce S. Swanson of Georgetown.**
- 4) Edmond Laing - - an intern who will be working at Town Hall for the summer. Manager Gerrish introduced Ed Laing who will be working, as an intern, on special projects at Town Hall for the summer.**

Adjustments to Agenda:

Manager Gerrish requested that Council waive their Rules of Procedure to add two items to the agenda: Item #118 - The Town Council will consider a request by the Chamber of Commerce to locate a banner across Maine Street from June 7 to June 10, 1996 and Item #119 - The Town Council will consider appointing Brunswick's representative to the Merrymeeting Council of Governments. There was no objection to adding these items to the agenda. Town Council Minutes June 3, 1996 Page 2

- 113. The Town Council will hear public comments on the following requests for renewal Victualer licenses for:**

Renewal: Glorious Foods, Inc. d/b/a PaneVino II
Susan L. Berger & 153 Park Row
Michele K. Donovan

Irving Oil Corp. d/b/a Brunswick Irving Mainway #1430 205 Pleasant
Street Vernon L. Sprague

Irving Oil Corp. d/b/a Brunswick Irving Quik Mart #1446 156 Pleasant
Street Vernon L. Sprague

William D. McDougal d/b/a Welcome Mart 115 River Road
William D. McDougal

The Public Hearing opened at 7:10 p.m. The Public Hearing closed at 7:10 p.m.

Councilor Wilson moved, Councilor Gleason seconded to approve the renewal Victualer Licenses as advertised. The motion carried with nine (9) yeas.

114. The Town Council will hear public comments on the following request for a renewal Innkeeper license application for:

Renewal: Gagne's d/b/a Siesta Motel 130 Pleasant Street Camille L. Gagne

The Public Hearing opened at 7:11 pm. The Public Hearing closed at 7:11 p.m.

Councilor Moll moved, Councilor Wilson seconded to approve the renewal Innkeeper license as advertised. The motion carried with nine (9) yeas.

106. (TABLED) The Town Council will consider approving the following request for Sellers of Prepared Food on a Public Way license for:

**New: Thomas Rothwell The Barking Spider Inc. d/b/a Kingsfords Restaurant Sidewalk in front of 94 Maine St
Thomas Rothwell**

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This item was tabled from the Town Council's last meeting. The Barking Spider, d/b/a Kingsfords Restaurant, is interested in having a Seller of Prepared Food on Public Way license. This would involve setting up tables on the sidewalk to serve food and alcohol. Police Chief Jerry Hinton and Public Works Director John Foster have been reviewing this request and I have attached a memo from John Foster which indicates that he and the Police Chief have no objections to the Council approving this request subject to the four conditions he has listed in his memo.

Mr. Rothwell was present at the meeting to describe his proposal.

Councilor Moll asked if Mr. Rothwell had a contingency plan to deal with potential loitering problems.

Mr. Rothwell said all tables and barriers will be taken inside at dusk. This is not a night time cafe where people drink. Any day time loitering will be taken care of as it occurs.

Councilor Moll wanted to clarify if liquor and food would be served from 11:30 a.m. until approximately 9:00 p.m.

Mr. Rothwell wanted all customers to be finished by dark so serving would occur until before dusk. He further clarified that the State Liquor Commission requires an area to be defined where alcohol cannot be removed.

Chair McCausland assumed that if problems or concerns should arise, that Mr. Rothwell was willing to work

with the town. This is an experiment for the town as well as Mr. Rothwell.

Mr. Rothwell answered "absolutely."

Councilor Galloupe asked if there was adequate room for a wheel chair.

Mr. Rothwell answered that there is more than four feet.

Councilor Swanson asked if there would be trash barrels located on the premises.

Mr. Rothwell was hoping there would be no need for trash barrels. Usually the wait staff will clear the tables as they would inside the restaurant. He would be willing to locate a barrel if the Council desires. Councilor Moll moved, Councilor Gleason seconded to approve the Seller of Prepared Food on Public Way license for Kingsfords Restaurant, conforming to the letter which stipulates the serving period from 11:30 a.m. until dusk. The motion carried with nine (9) yeas.

115. The Town Council will consider a Comprehensive Plan clarification relative to Bowdoin College issues. (Manager)

Councilor Snyder reported that the task force has been working with the College. An issue has been raised regarding whether the Comprehensive Plan addressed the use of Pickard Field for non-residential college uses. Pickard Field is located within the "Outer Maine Street Maquoit and Merepoint Area" which calls for primarily single family uses with the exception of the High School and Hospitals, and other specifically listed uses. The main issue is whether the Task Force should be charged with pursuing the issue of Bowdoin College zoning. Neighbors in different groups around Pickard Field have expressed concerns. Town Council Minutes June 3, 1996 Page 4

The Task Force would like to meet with each particular group to see if a consensus could be reached about what would be included in the Zoning Ordinance. Councilor Snyder recommended that this item be tabled until the Task Force has had an opportunity to come up with some agreements amongst the various groups. Councilor Snyder moved, Councilor Wilson seconded to table this item. The motion carried with nine (9) yeas.

116. The Town Council will consider the request from Bowdoin Summer Music Festival to hang a banner over Maine Street from July 8, 1996 through July 22, 1996 to publicize the 1996 Music Fest. (Manager)

Councilor Gleason moved, Councilor Feldman seconded to approve the request from the Bowdoin Summer Music Festival to hang a banner over Maine Street from July 8, 1996 through July 22, 1996. The motion carried with nine (9) yeas.

117. The Town Council will consider making the following board/committee appointments:

Davis Fund Committee: 2 Full members, 3 year terms to expire 6/30/99

Councilor Moll nominated Margaret Dunlop and Sanford Sistare.

Councilor Wilson moved, Councilor Snyder seconded that nominations cease and that the Chair cast one vote for Margaret Dunlop and Sanford Sistare. The motion carried with nine (9) yeas.

Margaret Dunlop and Sanford Sistare were both appointed to the Davis Fund Committee as full members for three (3) year terms to expire 6/30/99.

Fifty-Five Plus Center Board of Trustees: 3 Full members, 3 year terms to expire 7/01/99

Councilor Moll nominated Elliott Romm, Barbara Learmonth Hall (a Topsham resident) and Robert Grasmuck.

Councilor Wilson moved, Councilor Gleason seconded that nominations cease and that the Chair cast one vote for Elliott Romm, Barbara Learmonth Hall and Robert Grasmuck. The motion carried with nine (9) yeas.

Elliott Romm, Barbara Learmonth Hall, and Robert Grasmuck were each appointed to the Fifty-five Plus Center Board of Trustees as full members for three (3) year terms to expire 7/1/99.

Brunswick Housing Authority: 1 Full member, 5 year term to expire 6/03/01

Councilor Moll nominated Eileen Lonsdale.

Councilor Wilson moved, Councilor Snyder seconded that nominations cease and that the Chair cast one vote for Eileen Lonsdale. The motion carried with nine (9) yeas.

Eileen Lonsdale was appointed to the Brunswick Housing Authority as a full member for a five (5) year term to expire 6/3/01. Town Council Minutes June 3, 1996 Page 5

Personnel Board: 1 Full Member, Balance of 3 year term to expire 01/12/98

Councilor Moll nominated Edward O'Neil. Councilor Wilson nominated Walter Morrissey

Councilor Feldman moved, Councilor Swanson seconded that nominations cease. The motion carried with nine (9) yeas.

Edward O'Neil was appointed to the Personnel Board as a full member for the balance of a three (3) year term to expire 1/12/98 with seven (7) votes - Councilors Feldman, Swanson, Galloupe, Moll, Snyder, Gleason, and McCausland.

Planning Board: 1 Associate Member, Balance of 3 year term to expire 2/23/98

Councilor Moll nominated Edward Hawes.

Councilor Snyder moved, Councilor Wilson seconded that nominations cease and that the Chair cast one vote for Edward Hawes. The motion carried with nine (9) yeas.

Edward Hawes was appointed to the Planning Board as an associate member for the balance of a three (3) year term to expire 2/23/98.

Recreation Commission: 1 Full Member, 3 year term to expire 7/01/99

Councilor Moll nominated Richard Baribeau Jr. Councilor Wilson nominated John Murphy.

Councilor Gleason reminded the Council that Mr. Baribeau works for him. It had been previously determined that this was not a conflict of interest.

Councilor Moll moved, Councilor Snyder seconded that nominations cease. The motion carried with nine (9) yeas.

Richard Baribeau Jr. was re-appointed to the Recreation Commission as a full member for a three (3) year term to expire 7/1/99 with seven (7) votes - Councilors Feldman, Laffely, Wilson, Moll, Snyder, Gleason, and McCausland.

Conservation Commission: 1 Full Member, Balance of a 3 year term to expire 5/1/98

Councilor Feldman nominated Brian Boyle.

Councilor Wilson moved, Councilor Laffely seconded that nominations cease and that the Chair cast one vote

for Brian Boyle. The motion carried with nine (9) yeas.

Brian Boyle was appointed to the Conservation Commission as a full member for the balance of a three (3) year term to expire 5/1/98.

118. The Town Council will consider a request from the Chamber of Commerce to hang a banner over Maine Street from June 7 to June 10, 1996. Town Council Minutes June 3, 1996 Page 6

Councilor Gleason moved, Councilor Moll seconded to approve the request from the Chamber of Commerce to hang a banner over Maine Street from June 7 to June 10, 1996. The motion carried with nine (9) yeas.

199. The Town Council will consider appointing representatives to the Council of Governments. Manager Gerrish explained that under the by-laws that at least two of the representatives have to be elected officials. He recommended to the Council that two Councilors be appointed along with Andrew Singelakis, and himself. One alternate is also allowed and he suggested that this person be a Councilor as well.

Councilor Moll moved, Councilor Gleason seconded to appoint Councilor Galloupe, Councilor Snyder, Town Manager Donald Gerrish, Director of Planning and Development Andrew Singelakis, and Councilor Swanson (alternate member) as Brunswick's representatives to the Council of Governments. The motion carried with nine (9) yeas.

Councilor Moll moved, Councilor Feldman seconded to adjourn the meeting. The motion carried with nine (9) yeas. The meeting adjourned at 8:07 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.

Deborah S. Cabana Town Clerk June 19, 1996 Date of approval

Chair

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