

**BRUNSWICK TOWN COUNCIL MINUTES**

**July 21, 1997 7:30 P.M.**

**MUNICIPAL MEETING ROOM  
OLD BRUNSWICK HIGH SCHOOL  
7:00 P.M.**

**Councilor Wilson moved, Councilor Snyder seconded, to enter into Executive Session along with the Assistant to the Town Manager to review a poverty property tax abatement and possible land acquisition. The motion carried with nine (9) yeas.**

**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:** Carla Nixon, Assistant to the Town Manager; Deborah Cabana, Town Clerk; Commander Robert Annese; Thomas Farrell, Director of Parks and Recreation; John Eldridge, Finance Director; John Foster, Town Engineer; State Representative Reginald Pinkham; several citizens, members of the press and Casco Cable TV.

**Minutes of Previous Meetings:**

**Councilor Wilson moved, Councilor Laffely seconded, to approve the Council minutes of June 30, 1997 as distributed. The motion carried with seven (7) yeas - Councilors McCausland and Gleason abstained.**

**Councilor Gleason moved, Councilor Snyder seconded, to approve the Council minutes of July 7, 1997 as distributed. The motion carried with nine (9) yeas.**

**Correspondence:** Chair McCausland introduced State Representative Reginald Pinkham. Mr. Pinkham read a memorial from the State of Maine officials to the family of the late Donald Hinkley.

**Manager's Report:**

- 1) Summer Meeting Schedule.** Chair McCausland recommended that the Council only hold one Council meeting in August (August 4, 1997) and not meet on August 18<sup>th</sup>. It was also recommended that the second meeting in September be held on Monday, September 22, 1997 instead of September 15, 1997 as both the Town Manager and his assistant will be out of Town on the 15th. The Council was in agreement to these proposals.
- 2) Sawyer Park Closure for Reconstruction.** Tom Farrell, Director of Parks and Recreation, reported that construction started for the project today. Sawyer Park and its boat launching facilities will be closed beginning midnight on July 21<sup>st</sup>, due to construction, and reopen at 4:00 a.m. on August 30<sup>th</sup>.
- 3) Brunswick Bike Path Project and Route One Overlay Project.** Mr. Farrell stated that the lowest bid was approximately 15% higher than the Department's estimate. The bids have been rejected and will be re-advertised in the fall. A copy of a letter from The Department of Transportation, explaining this situation, will be attached to the official minutes.

**Adjustments to the Agenda: NONE**

**143. The Town Council will hear public comments on the following requests for Alcoholic Beverage licenses for:**

Renewals:

Full-time Malt and Vinous

The President & Trustees of Bowdoin College

d/b/a Magee's Pub and Grill

1 College Street

Robert Hazard Edwards

Full-time Malt, Spirituous and Vinous

Bowl New England, Inc.

d/b/a Yankee Lanes

276 Bath Road

Michael Corley

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

**Councilor Gleason moved, Councilor Snyder seconded, to approve the Alcoholic Beverage licenses for Magee's Pub and Grill and Yankee Lanes. The motion carried with nine (9) yeas.**

**144. The Town Council will hear public comments on the proposed amendments to the Traffic and Vehicles Ordinance, on a regular and emergency basis, as it pertains to the Parking Ordinance relative to an increase in Handicapped Parking Fines.**

The Public Hearing opened at 8:03 p.m. The Public Hearing closed at 8:03 p.m.

This is the public hearing to amend the Traffic and Vehicles Ordinance as it pertains to parking. The State Legislature recently passed an increase in the amount of the fine for illegally parking in designated Handicapped Parking spaces. The increase is from \$50.00 to \$100.00. This ordinance change will bring us in line with State law and will go into effect immediately.

Councilor Gleason asked how violations of handicapped parking are enforced on private property.

Commander Annese answered that it is written in the law that the owners will arrange private enforcement or enter into arrangements with local or county law enforcement agencies to enforce handicapped parking. The majority of owners of private parking lots have entered into an agreement with the town and authorized the Chief of Police or his designee to enforce handicapped parking.

**Councilor Wilson moved, Councilor Feldman seconded, to amend the Traffic and Vehicles ordinance, Sections 15-78 and 15-8 as proposed, on a regular and emergency basis. The motion carried with nine (9) yeas.** A copy of the amendment will be attached to the official minutes.

**145. The Town Council will set a public hearing for August 4, 1997 to consider amending the Bicycle and Skateboard Ordinance relative to riding a bicycle on a sidewalk and impoundment of bicycles. (Manager)**

Commander Annese informed the Council that this was basically initiated for public safety. This item is to schedule a public hearing to amend the Town's Bicycle Ordinance. In the interest of bicyclist safety on Maine Street it is being recommended that the Ordinance allow the Police discretionary authority when dealing with youthful offenders. Our current Ordinance does not allow the riding of bicycles on the sidewalk. The change would allow people to ride bicycles on a sidewalk in a prudent and reasonable manner having proper regard for public safety. Bicyclists would at all times yield the right of way to pedestrians. It is also suggested that the ordinance be amended to add a section on the impoundment of bicycles. This change would give the Police Chief or his designee the option of impounding a bicycle of a person under the age of 18 who has violated the ordinance. In order for the person to retrieve the bicycle, the person must appear with his/her parent or guardian to meet with the Police Chief or his designee to discuss the nature of the violation and bicycle safety.

**Councilor Moll moved, Councilor Wilson seconded, to schedule a public hearing for August 4, 1997 to consider amending the Bicycle Ordinance as proposed. The motion carried with nine (9) yeas.**

**146. The Town Council will consider amending the Towing Guidelines relative to vehicles impounded for storage; and the maximum distance a qualified towing operator may be located from the Municipal Building in order to be on the Qualified Operators List.  
(Manager)**

Commander Annese stated that this amendment would pertain to the storage location of impounded vehicles. The change would increase the radius from five miles to six miles of the Municipal Building. Another change is the maximum distance a qualified towing operator may be located from the Municipal Building. The change would be from within five miles to within six miles of the Municipal Building.

**Councilor Gleason moved, Councilor Feldman seconded, to amend the Towing Guidelines as proposed. The motion carried with nine (9) yeas.** A copy of the Towing Guidelines policy will be attached to the official minutes.

**147. The Town Council will consider setting a public hearing for August 4, 1997 to consider a Bond Ordinance authorizing the making of contracts for an expansion and other improvements at the Graham Road Landfill, and the issuance by the Town of its Bonds and Notes in an Amount not to Exceed \$3,000,000, plus 1% for Costs of Issuance, to Finance the Costs of the Expansion and Other Improvements.**

Finance Director John Eldridge informed the Council that this item is to schedule a public hearing to consider a Bond Ordinance authorizing the contracts for the expansion and improvements of the Graham Road Landfill.

Councilor Swanson asked if this was still the less expensive way to go.

Mr. Eldridge answered that a study was conducted by Woodard and Curran, who concluded that the improvements of the Landfill option was significantly less expensive than the other options that were considered.

**Councilor Moll moved, Councilor Gleason seconded, to set a public hearing for August 4, 1997 to consider a Bond Ordinance authorizing the making of contracts for an expansion and other improvements at the Graham Road Landfill, and the issuance by the Town of its Bonds and Notes**

**in an Amount not to Exceed \$3,000,000, plus 1% for Costs of Issuance, to Finance the Costs of the Expansion and Other Improvements. The motion carried with nine (9) yeas.**

**148. The Town Council will discuss approving the 1997-1998 Local Road Assistance Program from the Maine Department of Transportation. (Manager)**

This is the yearly approval of the Local Road Assistance Program from the Maine Department of Transportation. It is estimated that the Town of Brunswick will receive four installments totaling \$159,252.00. The Town needs to certify that the funds received from this program will be used for 100% capital improvements for public roads and bridges; or, indicate a percentage will be used for capital improvements for public roads and bridges and the remainder for maintenance. We will be using 100% for capital improvements for public roads and bridges.

**Councilor Feldman moved, Councilor Wilson seconded, to certify that 100% of the funds received from the Local Road Assistance Program for the fiscal year 1997-98 will be used for capital improvements for roads and bridges. The motion carried with nine (9) yeas.**

**149. The Town Council will consider approving the sign for the Curtis Memorial Library to be located at the old Brunswick High School. (Manager)**

Mrs. Nixon stated that this item pertains to the request by the Curtis Memorial Library to hang a sign below the current Municipal Meeting Facility sign at the old Brunswick High School. The new Sign Ordinance indicates the Town Council will approve signs to be displayed on public property.

**Councilor Moll moved, Councilor Gleason seconded, to approve the sign for the Curtis Memorial Library, to be located at the old Brunswick High School and to allow the addition of hours opened. The motion carried with nine (9) yeas.**

**150. The Town Council will vote on a request for a poverty property tax abatement.**

**Chair McCausland moved, Councilor Moll seconded, to deny the poverty property tax abatement request. The motion carried with nine (9) yeas.**

**Councilor Gleason moved, Councilor Snyder seconded, to adjourn the meeting. The motion carried with nine (9) yeas. The meeting adjourned at 8:28 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  
July 23, 1997

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Date of approval

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Council Chair