

BRUNSWICK TOWN COUNCIL MEETING MINUTES
MONDAY, MARCH 3, 1997
7:30 P.M.
Municipal Meeting Room
Old Brunswick High School

7:00 P.M.

Councilor Wilson moved, Councilor Moll seconded that the Town Council enter into Executive Session (along with the Town Manager, the Parks and Recreation Director, and the ~~Marine~~ Natural* Resources Planner) to consider a property 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 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; Alan Houston, ~~Marine~~ Natural* Resources Planner; Philip Harriman, State Senator; Robert Edwards, President of Bowdoin College; students from Bowdoin College; Casco Cable TV; and various members of the public.

Minutes of Previous Meetings:

Councilor Gleason moved, Councilor Laffely seconded to approve the Town Council minutes of February 18, 1997 as presented. The motion carried with eight (8) yeas and one (1) abstention -Councilor Swanson was absent from that meeting.

Correspondence: Manager Gerrish reported that he had received a letter of resignation from Carol Liscovitz, who served on the Village Review Board. A letter of appreciation will be sent to Ms. Liscovitz and the position will be advertised. He further stated that he had been approached by the Chair of the Village Review Board requesting that the Council waive the rules of the appointments committee. There is a need to fill the positions as soon as possible due to four vacancies. The Council was in agreement to waive the rules and advertise to fill the positions at the first meeting in April.

Manager's Report:

- 1. Budget Update** - Mr. Gerrish did not receive the reports until late this afternoon and stated that he would update the Council on the budget at their next meeting.

- 3 Public Hearing on Rt. 1 Improvements and the Bike Path** . Manager Gerrish reminded the Council and public that the Department of Transportation will conduct a public hearing on the Rt. 1 Improvements and the Bike Path on Wednesday at 7:00 p.m. at the Municipal Meeting Facility.

- 4. Public Hearing on New Meadows Bridge.** Manager Gerrish reminded the Council and the public that the Department of Transportation will conduct a public hearing on the proposed New Meadows Bridge Project on Thursday at 7:00 p.m. at the Municipal Meeting Facility.

- 5. Public Workshops on Zoning Ordinance.** Manager Gerrish reminded the Council and the public that there are two public workshops on the proposed Zoning Ordinance

scheduled for March 10 and March 13 at the Municipal Meeting Facility. Both workshops begin at 7:00 p.m.

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2. **"State of the College Address"**. Bowdoin College President Robert Edwards addressed the Council on the State of the College. He spoke of the need for the College to work closely and cooperatively with its neighbors and the Town of Brunswick to implement their Commission on Residential Life. He highlighted the following recommendations of the Bowdoin's Board of Trustees action plan to address matters of residential life at the College: The establishment of "A Philosophy of Residential Life" at Bowdoin that sets forth the values of a learning community; the creation of a "House System" which would include all students from the day they set foot on campus; A phase-out of fraternities at the College by May 2000; and an ambitious program of building and remodeling of residential and dining facilities on the central campus which will begin almost immediately within the context of Brunswick's soon-to-be completed zoning ordinance.

Chair McCausland stated that he appreciated being included "in the loop" of what is happening at the college.

There were several Bowdoin students in the audience wearing black arm bands. When asked what the bands symbolized, they answered that they were mourning the "passing of the tradition of fraternities" of Bowdoin College.

Michael Cadette, Bowdoin College student, class of 2000 (representing the group of students present at the meeting) - felt that the new housing system would accelerate and exacerbate a drinking problem on campus, which the Board of Trustees hoped to eliminate. He was proud to be part of his fraternity and feared that sometimes we destroy something historic which we later wish we had back. It was his opinion that 82% of the Bowdoin students felt that the fraternities should remain.

Adjustments to Agenda: None

35. **The Town Council will hear public comments on the following request for a Victualer's license for:**

New:

Daniel McKenney d/b/a

Warming's Market

294 Maine Street

Daniel McKenney

The Public Hearing opened at 8:10 p.m. The Public Hearing closed at 8:10 p.m.

Councilor Wilson moved, Councilor Snyder seconded to approve the Victualer's license for Warming's Market based on final inspections. The motion carried with nine (9) yeas.

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

Full-time Malt, Spirituous & Vinous:

Clare's Dolphin Restaurant Inc.

d/b/a Joshua's Restaurant & Tavern

121A Maine Street

John Siatras

Thomas Siatras

Full-time Malt & Vinous:
Amato's Sandwich Shop of Brunswick, Inc.
d/b/a Amato's
135 Maine Street
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Dominic Reali

Full-time Malt:
First Wok Inc.
d/b/a First Wok
119 Maine Street

Shi-Kuang Han

The Public Hearing opened at 8:11 p.m. The Public Hearing closed at 8:11 p.m.

Councilor Moll moved, Councilor Feldman seconded to approve the renewal Alcoholic Beverage licenses for Joshua's Restaurant and Tavern, Amato's and First Wok. The motion carried with nine (9) yeas.

37. The Town Council will hear public comments on the following request for a renewal Special Amusement license for:

Clare's Dolphin Restaurant Inc.
d/b/a Joshua's Restaurant & Tavern
121A Maine Street

John Siatras
Thomas Siatras

The Public Hearing opened at 8:12 p.m. The Public Hearing closed at 8:12 p.m.

Councilor Gleason moved, Councilor Wilson seconded to approve the Special Amusement license for Joshua's Restaurant and Tavern. The motion carried with nine (9) yeas.

38. The Town Council will confirm the appointment of Carol Stinson as the Curtis Library representative on the Cable TV Committee. (Manager)

Councilor Moll moved, Councilor Laffely seconded to confirm the appointment of Carol Stinson as Curtis Library representative to the Cable TV Committee. The motion carried with nine (9) yeas.

39. The Town Council will consider approving requests for Sellers of Prepared Food on Public Ways licenses (Brunswick Mall) for:

Bohemian Coffee House
d/b/a Bohemian Coffee Roasters
111 Maine Street

Paul Hitz/Chris Pemberton

Brunswick Farmer's Market
Mall

Eric R. Welzel, President

Danny's on the Mall
Mall

Daniel A. McDonald/Sean McDonald

Down East Hot Dog

Councilor Moll moved, Councilor Snyder seconded to approve the Seller's of Prepared Food on Public Ways applications for Bohemian Coffee House, the Farmer's Market, Danny's on the Mall and Down East Hot Dog. The motion carried with nine (9) yeas.

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40. The Town Council will discuss LD 1122, an Act to Repeal Municipal Shellfish Ordinances, and take any appropriate action. (Manager)

John Lemont, Chair of the Marine Resources Committee - stated that the Committee is against this proposal. He informed the Councilors that the Department of Maine Resources is not in favor of this proposal. He requested, on behalf of the Committee, that at least two Brunswick Councilors testify against this Bill at the public hearing of April 1, 1997 on behalf of the Town.

Manager Gerrish felt that the communities have done an excellent job protecting the clamming resources. This proposal would allow anyone to obtain a shellfish license, similar to obtaining a state hunting license. Just as an individual could go anywhere in the state to hunt, a harvester could dig on any coast, in any community in the state. Enforcement would not be practical. Mr. Gerrish stated that the Town of Brunswick is respected by other communities for what we have accomplished for the clamming industry. He thought it would be important to attend the public hearing to speak against this bill.

Councilor Moll felt that this proposal was an erosion of home-rule, which she was not willing to go along with on any level. She also thought that this proposal was self serving and extremely short sighted. She suggested that the Council send to the hearing a strong resolution against this bill.

Councilor Galloupe was told that the only places on the coast where there are still clams are where municipalities still have control. If this proposal should pass, there eventually will be no clams.

Councilor Swanson offered to represent the Town at the public hearing.

~~Marine~~ *Natural** Resources Planner Alan Houston stated that in 1978 the Brunswick Town Council proposed to sell licenses to any resident in the state of Maine. A few months later harvesters returned to the Councilors saying the flats were "dug out" and that they wanted control. The ordinance was re-instated shortly thereafter.

Councilor Galloupe was willing to accompany Councilor Swanson to the hearing. He agreed that the Town should send a resolution to the hearing.

Councilor Feldman offered to attend the hearing also.

Senator Harriman welcomed the Council to join him at the public hearing. He expressed concern for this proposal as to, geographically, where the votes for support will come from.

Chair McCausland moved, Councilor Moll seconded that a resolution opposing this legislation be prepared for the Council's consideration at their next scheduled meeting, which resolution will then be presented at the legislative public hearing on April 1, 1997. The motion carried with nine (9) yeas.

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

Fence Viewer -

1 Full Member, one year term to expire 04/01/98

Councilor Moll nominated Alice Goodwin.

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Councilor Moll moved, Councilor Snyder seconded that nominations cease and that the Chair cast one vote for Alice Goodwin. The motion carried with nine (9) yeas. Alice Goodwin was appointed as a Fence Viewer for a one (1) year term to expire 04/01/98.

There was some discussion as to whether the Council could appoint additional members as Fence Viewers. Manager Gerrish stated that he would look into this and return to the Council with an answer.

Personnel Board -

1 Full Member, three year term to expire 01/12/00

1 Assoc. Member, three year term to expire 01/12/00

Councilor Moll nominated Walter Morrissey as the full member.

Councilor Moll moved, Councilor Wilson seconded that nominations cease and that the Chair cast one vote for Walter Morrissey. The motion carried with nine (9) yeas. Walter Morrissey was appointed as a full member to the Personnel Board for a three year term to expire 01/12/00.

Sewer District Trustee -

1 Full Member, three year term to expire 04/01/00

Councilor Swanson nominated Dudley Woodall.

Councilor Swanson moved, Councilor Feldman seconded that nominations cease and that the Chair cast one vote for Dudley Woodall. The motion carried with nine (9) yeas. Dudley Woodall was appointed as a Sewer District Trustee full member for a three year term to expire 04/01/00.

Councilor Galloupe moved, Councilor Laffely seconded to adjourn the meeting. The motion carried with nine (9) yeas.

The meeting adjourned at 8:35 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.

Deborah S. Cabana
Town Clerk
March 7, 1997

Date of approval _____

Chair _____