

BRUNSWICK TOWN COUNCIL MINUTES

May 5, 1997 7:30 P.M.

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

Councilor Gleason moved, Councilor Snyder seconded to enter Executive Session along with the Town Manager to discuss negotiations and possible litigations. The motion carried with eight (8) yeas. (Councilors Feldman, Swanson, Galloupe, Laffely, McCausland, Wilson, Snyder and Gleason were present.)

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, Ervin Snyder and David Gleason.

Others Present: Donald Gerrish, Town Manager; Deborah Cabana, Town Clerk; Jerry Hinton, Police Chief; John Foster, Town Engineer; several citizens, members of the press and Casco Cable TV.

Minutes of Previous Meetings:

Councilor Snyder stated that on page 4 of the minutes, item #66, should be corrected to read "both Councilors Wilson and Feldman agreed to incorporate this into the main motion of the Ordinance."

Councilor Wilson corrected the second sentence of page two to read "It was pointed out that the learning channel or the French channel would be the one used for the governmental channel." He also corrected page three, fourth paragraph that Councilor Wilson suggested that the Traffic Committee and . . . "

Councilor Wilson moved, Councilor Laffely seconded, to approve the Council minutes of April 22, 1997 as distributed and corrected. The motion carried with seven (7) yeas and one (1) abstention, - Councilor Galloupe.

Correspondence: Manager Gerrish received a letter of resignation from Richard Baribeau of the Recreation Commission. A letter of appreciation will be sent to Mr. Baribeau and the position will be advertised.

Manager's Report:

- 1). **1996-97 Budget Update.** Manager Gerrish stated that the fiscal budget is in good shape. We are ten months through the fiscal year. Both expenditures and revenues are in good shape. He expected to exceed revenue projections by the end of the year by at least \$200,000.
- 2). **Presentation of 1997-98 Proposed Budget.** Manager Gerrish gave an overview of the proposed 1997-1998 budget. The proposed budget has a 6.1 % proposed tax increase. County Taxes have increased \$18,935, representing a 2.4 % increase. Proposed revenues for the next fiscal year are \$4,862,728, an increase of \$269,606 over last year. Two major areas of increase are excise tax and state revenue sharing. The one major decrease in revenue is in the State Highway Grant Fund in the amount of \$77,478. This decrease is almost 50% of the amount collected over the past years. Mr. Gerrish recommended that \$200,000 be appropriated from the Town's Undesignated Fund Balance to assist in reducing property taxes. This is the same amount that

was appropriated last year. The new town's valuation is down to .70% increase, whereas, the average valuation the last few years has been 1½ to 2%. Mr. Gerrish explained the additional personnel to be considered in this budget as well as other significant increases:

Paving Increase	100,000
Tax Equalization	50,000
Anniversary Park	70,000
Water Access	25,000
New Personnel	126,000
P.W. Projects and Equipment	<u>57,000</u>
	428,000

Money was included in the proposed budget for infrastructure improvements. Funds for CIP expenditures outside of the operating budget will be presented to the Council at a later date for their discussion and approval. This budget also includes the first installment of the tax equalization project at a sum of \$50,000.

Adjustments to the Agenda: NONE

73. The Town Council will hear public comments on the following applications for Victualer licenses for:

New:

PBJ Yogurt Corp. d/b/a TCBY
121 Maine Street

Barbara M. Gray

Renewals:

(106 as advertised)

The Public Hearing opened at 7:50 p.m. The Public Hearing closed at 7:50 p.m.

Councilor Gleason moved, Councilor Wilson seconded, to approve the Victualer licenses for TCBY and the 106 renewal licenses as listed. The motion carried with eight (8) yeas. The list of 106 renewal licenses will be attached to the official minutes.

74. The Town Council will hear public comments on the following applications for Alcoholic Beverage licenses for:

Renewals:

Full-time Malt & Vinous

P & M Corp. d/b/a Captain Mike's Restaurant
32 Bath Road

Patricia Cota & Michael Cota

Full-time Malt

The Corner Pocket, Inc.
d/b/a Corner Pocket Billiards
4 Pleasant Street

David Martin Brunette

Full-time Malt, Spirituous & Vinous
Parkwood Inn, LTD d/b/a Parkwood Inn
Route 24, Cook's Corner

Lois E. Beal

Rumrunner's Inc. d/b/a Player's Pub
1 Center Street

Peter M. Therriault

The Public Hearing opened at 7:51 p.m. The Public Hearing closed at 7:51 p.m.

Councilor Snyder moved, Councilor Wilson seconded. to approve the Alcoholic Beverage licenses for Captain Mike's Restaurant, Corner Pocket Billiards, Parkwood Inn and Player's Pub. The motion carried with eight (8) yeas.

75. The Town Council will hear public comments on the following applications for Innkeeper licenses for:

Renewals:

Bo-Ed d/b/a The Atrium Motel
21 Gurnet Road

Robert Rosenthal and
Andrew Rosenthal

Someplaces Different, Inc.
d/b/a Captain Daniel Stone Inn
10 Water Street

William Bennett

Brunswick Inn Assoc.
d/b/a Comfort Inn
199 Pleasant Street

William Dewhurst

Brunswick Interstate Oasis, Inc.
d/b/a Econo Lodge
215 Pleasant Street

Ray & Inge Weymouth

Kelly Hospitality, Inc.
d/b/a Mainline Motel
133 Pleasant Street

William & Susan Kelly

Walter Reil & Diana Reil
d/b/a New Meadows Motel
393 Bath Road

Walter & Diana Reil

Parkwood Inn, LTD
d/b/a Parkwood Inn
71 Gurnet Road

Lois Beal

William Kelly
d/b/a Viking Motor Inn
287 Bath Road

William Kelly

The Public Hearing opened at 7:52 p.m. The Public Hearing closed at 7:52 p.m.

Councilor Wilson moved, Councilor Laffely seconded, to approve the 8 Innkeeper licenses as advertised. The motion carried with eight (8) yeas.

76. The Town Council will hear public comments on the following application for Special Amusement license for:

Renewal:

Rumrunners, Inc.
d/b/a Player's Pub
1 Center Street

Peter M. Therriault

The Public Hearing opened at 7:53 p.m. The Public Hearing closed at 7:53 p.m.

Councilor Gleason moved, Councilor Snyder seconded, to approve the Special Amusement license for Player's Pub. The motion carried with eight (8) yeas.

77. The Town Council will consider accepting money gifts to the School Department in the total amount of \$15,323. (Manager)

This item is on the agenda at the request of Superintendent Jim Ashe. Mr. Gerrish pointed out that the School Department has actually received monetary gifts totaling \$13,421.00. The original amount included funds received from an oil rebate (\$1,902) from the state.

Councilor Wilson moved, Councilor Feldman seconded, to accept the following monetary gifts on behalf of and for use by the Brunswick School Department and to appropriate the funds to the Brunswick School Department.

<u>\$100.00</u>	<u>Brunswick Coal & Lumber - networking at Longfellow School</u>
<u>900.00</u>	<u>ME Science & Technology Foundation - networking</u>
<u>1,000.00</u>	<u>Anonymous - Jordan Acres School</u>
<u>11,421.00</u>	<u>Nynex - equivalent value for Internet hook-up</u>
<u>\$13,421.00</u>	<u>TOTAL</u>

The motion was voted on and carried with eight (8) yeas.

78. The Town Council will consider the transfer of a seized 1986 Harley Davidson motorcycle to the Police Department. (Manager)

Chief Hinton explained that the Police Department has received a 1986 Harley Davidson motorcycle through its assistance in a criminal investigation. As is the case in the transfer of drug forfeiture funds, the Council must approve the transfer of this motorcycle to the Police Department. It is the intention of the Police Department to sell the motorcycle. Twenty percent of the proceeds will be returned to the District Attorney's office. The vehicle is worth approximately \$10,000.

Councilor Gleason moved, Councilor Galloupe seconded, that the Town of Brunswick hereby grants approval of the transfer of any portion of the Defendant in Rem, one 1986 Harley Davidson

motorcycle, or any court-approved substitution thereof, to the Town of Brunswick, Maine, as the result of the Brunswick Police Department's contribution to the investigation of a related criminal case, namely State of Maine v. Joseph Zarrilli, docket # CV-96-534. The motion carried with eight (8) yeas.

- 79. The Town Council will consider accepting a Grant from DEP for a volunteer stream assessment project on the Androscoggin River. (Manager)**

William Smith of the Brunswick Conservation Commission - stated that a \$5,000 Grant has been received from the Department of Environmental Protection for a volunteer stream assessment project on the Androscoggin River. A copy of the Grant terms and conditions will be attached to the official minutes.

Councilor Galloupe moved, Councilor Swanson seconded, to accept a \$5,000 Grant from the Maine Department of Environmental Protection to conduct a volunteer stream assessment pilot project in the Town of Brunswick as proposed by the Brunswick Conservation Commission. The motion carried with eight (8) yeas.

- 80. The Town Council will consider discontinuing a section of Rocky Hill Drive Extension. (Manager)**

Manager Gerrish explained that this is a small section of Rocky Hill Drive which was originally given to the Town. This will alleviate maintenance problems that the town has experienced. This discontinuance has been agreed upon by the home owners in that area.

The Town Engineer stated that this right-of-way is a 50' x 80' section of road which has never been developed. It will be used for access to a couple of new lots and existing lots. The town may make minor improvements, at the end of the roadway being retained, for the purpose of snow removal.

Councilor Snyder moved, Councilor Laffely seconded to approve the discontinuance of a section of the end of Rocky Hill Drive Extension as proposed. The motion carried with eight (8) yeas.

- 81. The Town Council will consider renaming River Road Extension to Lamb Farm Road. (Manager)**

This item is to change the name of the current River Road Extension to Lamb Farm Road. Assessor Bob Tripp indicated that this road was listed as a private road in his April 1st memo and he has since learned that it is a Town accepted road. It was recommended by the Fire and Police Chiefs to change the name and the residents have selected Lamb Farm Road. This will be effective July 1, 1997.

Councilor Gleason moved, Councilor Feldman seconded to change the name of River Road Extension to Lamb Farm Road. The motion carried with eight (8) yeas.

- 82. The Town Council will consider amending their Rules of Order and Procedure by changing the location of their meetings from the Curtis Memorial Library to the Municipal Meeting Facility. (Manager)**

In reviewing the Council's Rules of Order and Procedure it was discovered that the Rules still indicate that the Council meetings are held at the Curtis Memorial Library. This needs to be changed to the Municipal Meeting Facility at the old Brunswick High School. According to the Council's Rules, the amendment must be submitted in writing at one meeting and placed on the next agenda for a vote. The Council was in agreement to place this item on the next agenda for consideration.

- 83. The Town Council will consider the request of the Bowdoin Summer Music Festival to hang a banner over Maine Street from June 30-July 13, 1997 to announce this year's Festival. (Manager)**

Councilor Gleason moved, Councilor Snyder seconded to approve the request of the Bowdoin Summer Music Festival to hang a banner over Maine Street from June 30 through July 13th. The motion carried with eight (8) yeas.

- 84. The Town Council will consider setting a public hearing to amend the Traffic Ordinance to regulate diagonal parking in Brunswick. (Manager)**

Police Chief Hinton explained that this item is to set a public hearing to consider amending the Traffic Ordinance to regulate diagonal parking in Brunswick. The issue involves the parking of vehicles in the diagonal parking slots with the front of the vehicles facing the street. This happens during the summer months along Maine Street with crowds congregating around the vehicles. The Police Department feels there is a need to control this activity. The Brunswick Intown Group is also in support of this proposal. Chief Hinton requested that the Council set a public hearing to consider this amendment.

It was commented that many folks park in this manner on Memorial Day, especially when observing the parade. The Police Chief can do away with parking prohibitions at a given period. For the Memorial Day parade, Chief Hinton stated that he would do this from 6:00 a.m. until 12:00 noon.

Councilor Gleason moved, Councilor Feldman seconded, to set a public hearing for May 19, 1997 to consider amending the Traffic Ordinance as it relates to diagonal parking. The motion carried with eight (8) yeas.

- 85. The Town Council will consider reappointing Alan Houston as Harbor Master for a one year term.**

Councilor Feldman moved, Councilor Swanson seconded, to reappoint Alan Houston to the one year term of Harbor Master. The motion carried with eight (8) yeas.

- 86. The Town Council will consider making appointments to the following boards and committees:**

Conservation Commission - 3 Full members, 3 year terms to expire 5/01/00

Councilor Snyder moved, Councilor Wilson seconded to re-appoint Edmund Benedikt to the Conservation Commission for a three year term to expire 05/01/00. The motion carried with eight (8) yeas.

Solid Waste Management Advisory Committee - 2 Full members, bal. of 3 year terms to expire 01/01/00

Councilor Wilson moved, Councilor Gleason seconded to appoint Matthew MacLeod to the Solid Waste Management Advisory Committee as a full member for the balance of a three (3) year term to expire 01/01/00. The motion carried with eight (8) yeas.

Traffic Safety Committee - 1 Full member, bal. of 2 year term to expire 04/01/98

Councilor Feldman moved, Councilor Snyder seconded to appoint Laurie S. Dell to the Traffic Safety Committee for the balance of a two year term to expire 04/01/98. The motion carried with eight (8) yeas.

Trust Investment Advisory Committee - 1 Full member, 3 year term to expire 05/10/00

Councilor Wilson nominated Edward Palmer.

Councilor Galloupe nominated Thomas Hastings.

Councilor Feldman moved, Councilor Laffely seconded that nominations cease. The motion carried with eight (8) yeas.

Mr. Palmer received three (3) votes - Councilors Laffely, Wilson, and McCausland.

Mr. Hastings was appointed to the Trust Investment Advisory Committee with five (5) votes - Councilors Feldman, Swanson, Galloupe, Gleason, and Snyder.

Village Review Board - 1 Full member, 3 year term to expire 10/28/98

Councilor Snyder moved, Councilor Gleason seconded to appoint Campbell Clegg to the Village Review Board as the Architect Member for the balance of a three year term to expire 10/20/98. The motion carried with eight (8) yeas.

Councilor Feldman moved, Councilor Galloupe seconded, to adjourn the meeting. The motion carried with eight (8) yeas. The meeting adjourned at 8:30 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
May 8, 1997

Date of approval

Council Chair