

BRUNSWICK TOWN COUNCIL MINUTES

Monday, May 4, 1998 7:30 P.M.

MUNICIPAL MEETING ROOM

OLD BRUNSWICK HIGH SCHOOL

6:30 P.M.

Councilor Wilson moved, Councilor Feldman seconded, that the Town Council enter Executive Session to discuss possible acquisition of property. The motion carried with eight (8) 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, Timothy Dotts, Clement Wilson, Ervin Snyder, and David Gleason.

Others Present: Donald Gerrish, Town Manager; Deborah Cabana, Town Clerk; Theo Holtwijk, Director of Planning and Development; John Foster, Town Engineer; Pam Fogg, Personnel Director/Assistant to the Town Manager; Commander Robert Annese; Jerry Hinton, Police Chief; Tom Farrell, Director of Parks and Recreation; John Eldridge, Finance Director; several citizens, members of the press and Casco Cable TV.

Minutes of Previous Meetings:

Councilor Wilson moved, Councilor Dotts seconded, to approve the Council minutes of April 21, 1998 as distributed. The motion carried with seven (7) yeas. Councilor Snyder was absent from this meeting and abstained from voting.

Correspondence:

1. Letter of resignation from David S. Bunge (Village Review Board) - A letter of resignation had been received from David S Bunge who served on the Village Review Board. A letter of appreciation will be sent to Mr. Bunge and the position will be advertised.

Manager's Report:

1. 1997 - 98 Budget Update - Manager Gerrish stated that the Town is through ten months of the budget. All accounts continue to look good, both expenditures and revenues. He predicted the year would end with a surplus of \$250,000 to \$300,000. This money will be used to help offset the cost of next year's budget.

2. Presentation of 1998-99 Budget - Mr. Gerrish presented the Manager's 1998-99 Municipal Budget to the Council. There is a proposed 7.52 % tax increase in this budget. Significant increases in the Town's operating budget include the Library Debt Service, Public Works Projects and Equipment, Tax Equalization Continuation, Library Operation, and New Personnel. It was Mr. Gerrish's opinion that this budget is a maintenance budget. The Budget Public Hearing has tentatively been scheduled for June 4th.

3. Update on travel policy - Manager Gerrish informed the Council that the travel policy has been amended to be consistent with the IRS allowance. A copy of the policy will be attached to the official minutes.

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4. Update on MacMillan & Co. - John Hall from MacMillan & Co. informed the Council that the restaurant is planning to renovate and open the downstairs of their restaurant. They are not planning any live entertainment, but would like to locate a couple of pool tables and video games in the bar.

5. Gateway Grant - Manager Gerrish requested the Town Council to authorize the Town Manager to accept the grant of \$5,000 recently received from M.D.O.T. concerning the planting of trees on outer Pleasant Street. **Councilor Feldman moved, Councilor Dotts seconded, to authorize the Town Manager to accept the grant of \$5,000 from M.D.O.T. and to further authorize the Town Manager to execute a contract to receive the money. The motion carried with eight (8) yeas.**

6. Recognition of Marguerite D. Smith and James J. Dolan (school crossing guards) - Commander Annese, Chief Hinton, and Chair McCausland presented these individuals with plaques in recognition of their commitment to the position of School Crossing Guard.

Adjustments to the Agenda: None

79. The Town Council will hear public comments on the following requests for Victualer licenses:

Christy's Market, Inc. d/b/a Christy's

152 Maine Street Bryan F. Smith, Jr., Vice President

Henry's Catering LLC d/b/a Henry and Marty

61 Maine Street Edward M. Perry

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

Councilor Wilson moved, Councilor Dotts seconded, to approve the Victualer license requests for Christy's Market and Henry's Catering LLC. The motion carried with eight (8) yeas.

80. The Town Council will hear public comments on the following requests for Alcoholic Beverage Licenses:

New:

Full-time Malt and Vinous:

Henry's Catering LLC d/b/a Henry and Marty

61 Maine Street Edward M. Perry

Renewals:

Full-time Malt, Spirituous, and Vinous:

Someplaces Different, Inc. d/b/a Narcissa Stone Restaurant

10 Water Street William Bennett

Parkwood Inc. LTD d/b/a Parkwood Inn

71 Gurnet Road Lois Beal

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Rumrunner's Inc. d/b/a Player's Pub

One Center Street Peter Therriault

Full-time Malt and Vinous:

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

32 Bath Road Michael Cota and Patricia Cota

Full-time malt:

The Corner Pocket, Inc. d/b/a Corner Pocket Billiards

4 Pleasant Street David Brunette

John Guida d/b/a Rosita's Mexican Food

212 Maine Street John Guida

The Public Hearing opened at 8:01 p.m. The Public Hearing closed at 8:01 p.m.

Councilor Dotts moved, Councilor Wilson seconded, to approve the Alcoholic Beverage license applications for Henry's Catering LLC, Someplaces Different, Inc., Parkwood Inc. LTD, Rumrunner's Inc., Captain Mike's Restaurant, The Corner Pocket, Inc. and Rosita's Mexican Food. The motion carried with eight (8) yeas.

81. The Town Council will hear public comments on the following requests for Special Amusement Licenses:

Rumrunner's Inc. d/b/a Player's Pub

One Center Street Peter Therriault

The Public Hearing opened at 8:02 p.m. The Public Hearing closed at 8:02 p.m.

Councilor Gleason moved, Councilor Wilson seconded, to approve the Special Amusement License request for Rumrunner's Inc., d/b/a Player's Pub. The motion carried with eight (8) yeas.

82. The Town Council will hear public comments to consider amending the Ordinance Amendment Procedure, Section 108, of the Zoning Ordinance, by allowing the Planning Board to initiate the Ordinance Amendment process. (Manager)

This public hearing is to consider amending the Zoning Ordinance Amendment Procedure. Whenever the Planning Board feels the ordinance should be amended, it must first be reviewed by the Council and then it is returned to the Planning Board for their review and recommendations. This amendment would allow the Planning Board to initiate amendments and the Council to act upon the request.

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

Councilor Snyder suggested that the proposed amendment to section 108.5 be changed to read "Notwithstanding the provision of Section 108.1, above, the Planning Board may initiate the amendment process by recommending an Ordinance amendment ~~without first making a request to the Town Council~~ without a prior referral from the Town Council. The Council was in agreement with Councilor Snyder's suggestion.

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Councilor Snyder moved, Councilor Wilson seconded, to approve the proposed Ordinance Amendment Procedure, Section 108, of the Zoning Ordinance, by allowing the Planning Board to initiate the Ordinance

Amendment Process without the prior referral from the Town Council The motion carried with eight (8) yeas.

83. The Town Council will hear public comments to consider amending the Recreation Ordinance as it pertains to parks and enforcement. (Farrell)

Parks and Recreation Director Tom Farrell explained that this item is to consider amending the Recreation Ordinance as it pertains to identifying our parks, and to enforcement. This will allow the park rangers to enforce rules and regulations in the parks. Law enforcement would enforce violations of a criminal nature. This ordinance was last updated in 1983.

The Public Hearing opened at 8:07 p.m. The Public Hearing closed at 8:07 p.m.

Councilor Snyder moved, Councilor Feldman seconded, to approve the proposed amendments to the Recreation Ordinance as it pertains to parks and enforcement. The motion carried with eight (8) yeas.

84. The Town Council will consider scheduling a Public Hearing for May 18, 1998 on a Bond Ordinance of up to \$1,125,000 for a loan to the Brunswick Development Corporation for an expansion of its manufacturing facility in the Brunswick Industrial Park. (Manager)

Manager Gerrish explained that this is the continuation of a process started in 1995. This item is to schedule a public hearing on a bond ordinance to borrow up to \$1,125,000 for a loan to the Brunswick Development Corporation for an expansion of the manufacturing facility leased to Brunswick Technologies, Inc. When the Town originally built the building and leased the building to B.T.I., a 25,000 sq. ft. addition was contemplated. In the lease, Brunswick Development Corp. agreed to "in good faith negotiate a commercially reasonable arrangement to accommodate the expansion."

B.T.I. is asking for the 25,000 sq. ft. addition and the new addition has been negotiated with them. The B.D.C. and the Brunswick Resource Corporation have voted support of the project. The extension of the lease to 15 years and the guarantee of a minimum personal property payment of \$100,000 a year are the benefits of the deal.

Councilor Wilson moved, Councilor Gleason seconded, to schedule a Public Hearing for May 18, 1998 on a Bond Ordinance of up to \$1,125,000 for a loan to the Brunswick Development Corporation for an expansion of its manufacturing facility in the Brunswick Industrial Park. The motion carried with eight (8) yeas.

85. The Town Council will consider action on the option it holds on the Maine Street Station Property and take any appropriate action. (Manager)

Manager Gerrish outlined the historical background regarding this property and the option the Town holds. A serious offer to use the property has been made by Bowdoin College. The owners of the property have been asked to grant an extension on the Town's option. Therefore, details have not been finalized at this time. The Town has only until May 17, 1998 to make a decision concerning the option. Town Council Minutes

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Manager Gerrish proposed that this item be tabled for a special meeting, possibly a week from now.

Councilor Snyder moved, Councilor Feldman seconded, to table this item. The motion carried with eight (8) yeas.

86. The Town Council will consider nominating candidates for the 1998-99 MMA Legislative Policy Committee. (Manager)

This item pertains to the MMA Legislative Policy Committee and the opportunity for the Town to nominate one municipal official to serve on this Committee. Councilor Wilson has served on this committee in the past.

Councilor Gleason moved, Councilor Feldman seconded, to appoint Councilor Wilson to serve on the 1998-00 MMA Legislative Policy Committee. The motion carried with eight (8) yeas.

87. The Town Council will consider setting a public hearing to correct the boundary description of the recently passed Gurnet Shellfish Closure, Area VII. (Manager)

Bill Collins explained that this item was approved by the Council at their last meeting. However, the wrong map and lot number was advertised for the description of the boundaries. Therefore, a public hearing will need to be set for May 18th to consider approving this again.

Councilor Feldman moved, Councilor Dotts seconded, to set a public hearing on May 18, 1998 to consider repealing the existing Gurnet Shellfish Closure, Area VII, and replace with corrected boundary language. The motion carried with eight (8) yeas.

88. The Town Council will consider making appointments to the following boards/committees:

CONSERVATION COMMISSION

1 FULL MEMBER - Three year term to expire 05/01/01

Councilor Feldman moved, Councilor Gleason seconded, to appoint Brian F. Boyle to the Conservation Commission for a three year term to expire 05/01/01. The motion carried with eight (8) yeas.

MARINE RESOURCE COMMITTEE

2 FULL MEMBERS (who do not possess a town or state commercial shellfish license) Terms to expire 05/01/99

Councilor Wilson nominated Gordon L. Blatt.

Councilor Swanson nominated Dana Wallace.

Councilor Dotts nominated Robert Wixted.

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

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Gordon Blatt received one (1) vote - Councilor Wilson.

Dana Wallace was appointed to the Marine Resource Committee with eight (8) votes. Robert Wixted was appointed to the Marine Resource Committee with seven (7) votes - Councilors Feldman, Swanson, Galloupe, Dotts, Snyder, Gleason, and McCausland.

SOLID WASTE MANAGEMENT ADVISORY COMMITTEE

1 FULL MEMBER - Balance of three year term to expire 01/01/00

Councilor Snyder moved, Councilor Wilson seconded, to appoint Patrick J. Coughlin to the Solid Waste Management Advisory Committee for the balance of a three year term to expire 01/01/00. The motion carried with eight (8) yeas.

TRUST INVESTMENT ADVISORY COMMITTEE

1 FULL MEMBER - Three year term to expire 05/10/01

Councilor Feldman moved, Councilor Wilson seconded, to re-appoint Rupert White to the Trust Investment Advisory Committee for a three year term to expire 05/10/01. The motion carried with eight (8) yeas.

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Councilor Snyder noted that both Greg Mitchell and Eric Jorgensen are leaving their employment with the Town of Brunswick. Chair McCausland commented that both men have been great assets and that their shoes will be hard to fill. However, the Council wishes them both good luck with their new endeavors.

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Councilor Feldman moved, Councilor Dotts seconded, to adjourn the meeting. The motion carried with eight (8) yeas. The meeting adjourned at 8:30 p.m.

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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 21, 1998

Date of approval

Council Chair