

-- ADOPTED --
BRUNSWICK TOWN COUNCIL MINUTES
AUGUST 6, 2001
7:30 P.M.
MUNICIPAL MEETING FACILITY

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, Timothy Dotts, Robert Galloupe, Charles Priest, Faith Moll, and David Gleason.

Councilors Absent: Jacqueline Sartoris and Forrest Lowe.

Others Present: Don Gerrish, Town Manager; Melissa Smith, Deputy Town Clerk; Phil Carey, Planner; several citizens, members of the press, and the TV video crew.

Minutes of Previous Meeting: **June 28, 2001**
 July 16, 2001

Councilor Priest moved, Councilor Galloupe seconded, to approve the minutes of June 28, 2001. The motion carried with three (3) yeas. Councilors Feldman, Dotts, Gleason and McCausland abstained as they were not present at the June 28, 2001 meeting.

Councilor Dotts moved, Councilor Priest seconded, to approve the minutes of July 16, 2001. The motion carried with six (6) yeas. Councilor Gleason abstained as he was not present at the July 16, 2001 meeting.

Correspondence:

Councilor Dotts read his letter of resignation which will go into effect after this meeting. Mr. Dotts also read prepared statements to the Voters of District 4, Councilors and former Councilors Swanson, Snyder, and Wilson, Manager Gerrish and staff, and the citizens of Brunswick. *(A copy of Council Dotts' resignation and prepared statements will be attached to the official minutes.)* Chair McCausland presented Councilor Dotts with a plaque for his years of service (1998-2001) as Town Councilor for District 4. Mr. Dotts also served on the Appointments Subcommittee and High School Reuse Committee.

Chair McCausland presented a plaque to former Councilor Ellie Swanson for her years of service (1993-2000) as Town Councilor for District 2 and for her stewardship on the environmental movement and recycling issues. Ms. Swanson also served 14 years on the Marine Resources Committee prior to her service on the Council.

Former Councilor Wilson was also recognized for his years of service (1995-2000) as Town Councilor District 5, but was not able to attend this meeting and receive his plaque.

Town Council Minutes

August 6, 2001

Page 2

Manager's Report:

- 1) **Financial Update** -- Manager Gerrish stated that the first month of the fiscal year shows that the excise tax was two hundred and ten thousand (\$210,000), which was higher than the month of July last year (\$192,000). Expenditures are normal.
- 2) **Agreement for Maine Natural Gas Company to cross Bike Path** -- Manager Gerrish stated that he had signed the agreement with Maine Natural Gas Company concerning the Bike Path, as the Council had requested. *(A copy of the Agreement will be attached to the official minutes.)*

Adjustments to the Agenda: None.

- 113. The Town Council will hear public comments on the following requests for Alcoholic Beverage Licenses and will take any appropriate action.**

Full Time Malt, Spirituous and Vinous

Applebee's Northeast, Inc. d/b/a Applebee's Grill and Bar
11 Gurnet Road **Barry Gerstein**

Clare's Dolphin Restaurant d/b/a Joshua's Restaurant & Tavern
121 Maine Street **Thomas Siatras**

MacMillan & Co. d/b/a MacMillan and Company
94 Maine Street **John Hall**

Dunbarton, Inc. d/b/a McGillicuddy's
103 Pleasant Street **Joanne Gillies**

Richard's Restaurant d/b/a Richard's Restaurant
115 Maine Street **Richard Gnauck**

Full Time Malt and Vinous:

President and Trustees of Bowdoin College d/b/a Magee's Pub
Bowdoin College **Mary M. Kennedy**

Chair McCausland opened the public hearing; hearing no comments, he closed the hearing.

Councilor Dotts moved, Councilor Priest seconded, to approve Alcoholic Beverages Licenses for Applebee's Grill and Bar, Joshua's Restaurant and Tavern, MacMillan and Company, McGillicuddy's, Richard's Restaurant and Magee's Pub. The motion carried with seven (7) yeas.

Town Council Minutes

August 6, 2001

Page 4

days on September 6, 2001. The motion carried with seven (7) yeas.

(A copy of the public hearing notice will be attached to the official minutes.)

116. The Town Council will consider the process to be used for the Redistricting Project and will take any appropriate action.

Manager Gerrish stated that the process followed the last two times for the redistricting project was that each Councilor appointed a member from their district with the Councilors-at-Large each choosing a member from anywhere within the Town. This time due to the charter change, the redistricting will be based on population rather than registered voters. Attorney Geoffrey Hole will write the charge for the Committee and Town Clerk Fran Smith will be the staff representative.

(A copy of the Tentative Schedule for Redistricting and Basic Facts Regarding Redistricting will be attached to the official minutes.)

Councilor Moll moved, Councilor Feldman seconded, to form a Redistricting Committee by each Councilor choosing a representative from their district with the Councilors-at-Large each choosing a member from anywhere within the Town, and the Councilors-at-Large will appoint a member from District 4, at the September 17, 2001 meeting. The motion carried with seven (7) yeas.

117. The Town Council will consider setting a Public Hearing regarding proposed amendments to the Zoning Ordinance.

Planner Phil Carey reviewed the Planning Board housekeeping recommendations. The Council requested that the word “deem” in section 403.3.B be changed to “find”, that the word “deem” in section 402.3.C be changed to “found” and that the Planner reword “functionally interdependent” in section 402.3.C and section 309. *(A copy of the Housekeeping Amendments will be attached to the official minutes.)*

Councilor Feldman moved, Councilor Moll seconded, to set a public hearing for September 4, 2001, regarding proposed amendments to the Zoning Ordinance with the Council’s requested changes. The motion carried with seven (7) yeas.

118. The Town Council will consider setting a Public Hearing regarding proposed amendments to the Sign Ordinance.

Planner Phil Carey reviewed the Planning Board recommendations. *(A copy of the Political Campaign Sign and Related Ordinance Amendments will be attached to the official minutes.)*

Councilor Feldman moved, Councilor Galloupe seconded, to set a public hearing for September 4, 2001, regarding proposed amendments to the Sign Ordinance on an emergency and regular basis. The motion carried with seven (7) yeas.

119. The Town Council will consider setting a Public Hearing regarding a proposed amendment to the Personnel Ordinance.

Town Council Minutes

August 6, 2001

Page 5

Manager Gerrish explained that the amendment to the Personnel Ordinance would allow non-union employees to receive the same benefits as union employees regarding the Town's contribution to employees' 457 Deferred Compensation Plans. The proposal would be to amend Section 12-73 Deferred Compensation Plans, paragraph 2, to read:

Effective July 1, 2001, when an employee chooses an alternative retirement plan instead of MSRS, the Town shall contribute two times the employee contribution, to a maximum of 5.0% of the individual's gross weekly salary into any 457 plan currently offered by the Town of Brunswick. Effective July 1, 2002, the Town shall contribute two times the employee contribution, to a maximum of 6.0% of the individual's gross weekly salary into any 457 plan currently offered by the Town of Brunswick.

Councilor Moll moved, Councilor Priest seconded, to set a public hearing for September 4, 2001, regarding proposed amendments to the Personnel Ordinance. The motion carried with seven (7) yeas.

120. The Town Council will consider setting a Public Hearing regarding the activities of the Respite Care program.

Manager Gerrish explained that the Council authorized the Town to make an application to the State of Maine for a Community Development Block Grant (CDBG) for fifty thousand (\$50,000). The Town was granted that award and part of the process was to set a public hearing.

Councilor Feldman moved, Councilor Dotts seconded, to set a public hearing for September 4, 2001, to receive general comments regarding the activities of the Respite Care program. The motion carried with seven (7) yeas.

121. The Town Council will consider ratifying a new contract with the Police Officer's bargaining unit and will take any appropriate action.

Manager Gerrish stated that the major changes were 3% COLA for the first year, 4% COLA for the second year, increases in longevity and other changes which are consistent with other unions. Councilor Moll was the Council representative during the negotiations.

Councilor Moll moved, Councilor Priest seconded, to ratify a new two-year contract between the Town of Brunswick and the members of the Police Officer's collective bargaining unit (B.P.B.A.). The motion carried with seven (7) yeas.

(A copy of the contract will be attached to the official minutes.)

122. The Town Council will consider ratifying a new contract with the Public Works bargaining unit and will take any appropriate action.

Manager Gerrish stated that this was a similar contract with 3% COLA the first year, 4% COLA the second year and minor changes that were consistent with the other unions.

Councilor Moll moved, Councilor Priest seconded, to ratify a new two-year contract between the Town of Brunswick and the members of the Public Works collective bargaining unit (B.P.W.N.C.). The motion carried with seven (7) yeas.

(A copy of the contract will be attached to the official minutes.)

123. The Town Council will consider authorizing the Town to adopt the Agreement for the Regional Council of Governments including the formation of the Mid-coast Council for Business Development and Planning.

Manager Gerrish explained that the Town's involvement in MCBDP requires a formal vote, which was previously overlooked, to authorize the Town to join.

Councilor Galloupe moved, Councilor Dotts seconded, to authorize the Manager to adopt the Agreement for the Regional Council of Governments, including the formation of the Mid-Coast Council for Business Development and Planning . The motion carried with seven (7) yeas.

Chair McCausland stated that the next two items would be combined. There was no objection from the Council.

124. The Town Council will consider a request from the American Cancer Society to hang a banner over Maine Street from October 8 to October 22, 2001, to promote Breast Cancer Awareness Month.

125. The Town Council will consider a request from the Maine Association of USA Track and Field to hang a banner over Maine Street from July 1 to July 8, 2002, to announce the New Balance Maine Distance Festival.

Councilor Feldman moved, Councilor Priest seconded, to approve the request from the American Cancer Society to hang a banner over Maine Street from October 8 to October 22, 2002 and to approve the request from the Maine Association of USA Track and Field to hang a banner over Maine Street from July 1 to July 8, 2002. The motion carried with seven (7) yeas.

126. The Town Council will consider an appointment to the Harbor Master position.

Manager Gerrish stated that Dan Devereaux, Marine Warden, was recommended.

Councilor Priest moved, Councilor Moll seconded, to appoint Dan Devereaux to the Harbor Master position. The motion carried with seven (7) yeas.

127. The Town Council will consider making appointments to the following Board:

Welfare Appeals Board

Town Council Minutes

August 6, 2001

Page 7

1 Full Member – balance of two-year term to expire 1/28/02

Manager Gerrish recommended that this item be tabled because the Appointments Subcommittee was not able to hold an interview.

Councilor Moll moved, Councilor Priest seconded, to table this item. The motion carried with seven (7) yeas.

Manager Gerrish asked the Council to mark Wednesday, September 19, 2001 for a workshop on the Facilities Proposal. There will be two individuals present who have worked with the Open Space Task Force and Recreation Commission. They will make a presentation on the results of a survey of 1200 residents.

Chair McCausland explained that the Council was going into their annual August recess. The next Town Council Meeting will be held Tuesday, September 4, 2001.

The meeting adjourned at 9:06 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.

Melissa L. Smith
Deputy Town Clerk
August 8, 2001

September 4, 2001

Date of Approval

Stephen H. McCausland

Council Chair