

BRUNSWICK TOWN COUNCIL MINUTES
January 16, 2001
MUNICIPAL MEETING FACILITY

6:30 P.M.

Councilor Gleason moved, Councilor Moll seconded, to enter into Executive Session to discuss a personnel matter and the possible disposition of property. The motion carried with eight (8) yeas. Councilor Feldman joined later.

7:40 P.M. Chair McCausland called the meeting to order and asked for the Pledge to the Flag.

Councilors Present: Chair McCausland, Michael Feldman, Jacqueline Sartoris, Robert Galloupe, Timothy Dotts, Charles Priest, Faith Moll, Forrest Lowe and David Gleason.

Councilors Absent: None.

Others Present: Donald Gerrish, Town Manager, Melissa Smith, Acting Town Clerk; Theo Holtwijk, Director of Planning and Development; Thomas Farrell, Director of Parks and Recreation; Geoffrey Hole, Town Attorney; Commander Robert Anesse, Police Department; Daniel Devereaux, Certified Municipal Shellfish Conservation Warden; several citizens, members of the press and TV video crew.

Minutes of Previous Meetings: January 2, 2001

Councilor Gleason moved, Councilor Lowe seconded, to approve the minutes of January 2, 2001. The motion carried with nine (9) yeas.

Correspondence:

1. A letter of resignation from Charles Priest, Cable Television Committee was received. Mr. Priest is now the Town Council representative, therefore; he has resigned as a citizen member.
2. Councilor Lowe announced the Scenic Area Subcommittee of the Open Space Task Force is presenting a community (re)discovery through a unique photo project called "My Favorite Brunswick!" This project is a photographic event celebrating Brunswick's diverse landscapes as seen through the eyes of the people who live here. Brunswick citizens are asked to submit a color print, digital photo, or color slide of their favorite outdoor places in the community. The entries must be at the Planning and Development Department, 28 Federal Street by February 6, 2001. On Monday, February 12, 2001, all pictures will be assembled for a one-time presentation at the Brunswick High School at 7 p.m.

Manager's Report:

1. **Financial Update** -- It is six months through the fiscal year and excise tax is still flat. The original projection was for a 3% increase; however, it is now projected that there will be a shortfall in this account of \$50,000 to \$70,000. State Revenue Sharing is anticipated to be short about \$100,000. On the expenditure side, the Town is controlling spending.
2. **Presentation by Transportation Commissioner John Melrose concerning Passenger Rail Services to Brunswick** – Commissioner John Melrose briefly outlined the status of the Passenger Rail Services. May 1st, 2001, should be the date of the first train from Boston, MA to Portland, ME. Mr. Melrose stated that a newspaper article on January 15, 2001 was a good summary of where the project stands. *A copy of a newspaper article will be attached to the official minutes.* He feels that the Town of Brunswick should appoint a committee to extract information on what kind of train station to build. Minimum requirements would be a platform with shelter. Mr. Melrose stated that a committee could be appointed by summer 2001, design issues and contracts for building to begin spring 2002, and station completed by the end of 2002 or early 2003. This would be the earliest

date necessary. Another issue to deal with is a layover facility which might be necessary in this vicinity. Commissioner Melrose showed a video tape to the Council and the public regarding the Explore Maine program, sharing different travel experiences around the state.

3. **Update on the Smart Growth Challenge Application** -- Director of Planning and Development Theo Holtwijk gave a brief overview of the grant. *A copy of a memo and the grant application will be attached to the official minutes.*

Adjustments to the Agenda: None

4. **The Town Council will hear public comments on the following request for Victualer licenses and take any appropriate action.**

NEW:

Dorothy Zhang Corp d/b/a China Moon Restaurant
164 Pleasant Street
Yon Quan Zhang and You Zou Zhang

Whiter Water Group East, Inc d/b/a Hancock Gourmet Lobster Company
16 Industrial Parkway
Carolie Hancock

The public hearing opened at 8:15 p.m. The public hearing closed at 8:15 p.m.

Councilor Moll moved, Councilor Lowe seconded, to approve the Victualer Licenses as advertised. The motion carried with nine (9) yeas.

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

RENEWAL:

FULL TIME MALT, SPIRITUOUS, AND VINOUS

The President & Trustees of Bowdoin College d/b/a Thorne Hall (formerly Wentworth Hall)
1 College Street
Mary M. Kennedy

NEW:

FULL TIME MALT, SPIRITUOUS, AND VINOUS

Dorothy Zhang Corp d/b/a China Moon Restaurant
164 Pleasant Street
Yon Quan Zhang and You Zou Zhang

The public hearing opened at 8:16 p.m. The public hearing closed at 8:16 p.m.

Councilor Moll moved, Councilor Priest seconded, to approve the Alcoholic Beverage licenses as advertised. The motion carried with nine (9) yeas.

6. **The Town Council will discuss changes to the Town of Brunswick Towing Guidelines and take any appropriate action.**

Commander Robert Anesse gave a brief update on the changes, including an increase in the price of towing and storage by \$10.00, to bring prices in line with AAA. There has not been an increase in many

years. Also proposed is a change from a bi-weekly rotation to a weekly rotation. A major change is the number of qualified operators, which is increasing from 6 to 10. *A copy of the Town of Brunswick Towing Guidelines will be attached to the official minutes.*

Councilor Moll moved, Councilor Feldman seconded, to adopt the Town of Brunswick Towing Guidelines effective immediately. The motion carried with nine (9) yeas.

7. **The Town Council will discuss the request from Maine Natural Gas to utilize the Bike Path Property for their distribution line and take any appropriate action.**

Chair McCausland stated that the Council was continuing negotiations with Maine Natural Gas and the Council had not finalized any negotiations, but feels strongly that there should be a public forum.

Councilor Moll moved, Councilor Feldman seconded, to set a public hearing for February 5, 2001 to consider the request from Maine Natural Gas to utilize the Bike Path property for their distribution line. The motion carried with nine (9) yeas.

8. **The Town Council will receive recommendations from the Marine Resource Committee for amendments to the Marine Activities Ordinance and take any appropriate action.**

Attorney Geoffrey Hole stated that most of the changes to the ordinance were housekeeping items. However, an alternate member was added for a total of two and a proposal for student shellfish licenses was also added. The Council asked for clarifications resulting in corrections in section 133 (g) which added a "non-" to the second resident and section 134 (1) which changed June 15th to March 1st. *A copy of the corrected proposed ordinance will be attached to the February 5, 2001 official minutes.*

Councilor Feldman moved, Councilor Dotts seconded, to set a public hearing for February 5, 2001 to consider the proposed amendments to the Marine Activities, Structures and Ways Ordinance on a regular basis. The motion carried with nine (9) yeas.

9. **The Town Council will consider consenting to the Marine Resources Committee the authority for the Opening and Closing of Coastal Waters as required by Section 11-161 of the Marine Activities Ordinances and take any appropriate action.**

Councilor Moll moved, Councilor Gleason seconded, to authorize the Marine Resources Committee to open and close the flats for the year 2001, provided that the Council receives copies of the Marine Resources Committee's meeting minutes. The motion carried with nine (9) yeas.

10. **The Town Council will receive recommendations from the Police Department concerning restricting parking on the west side of Union Street from McKean St to Weymouth St and take any appropriate action.**

Commander Robert Anesse gave a brief explanation on this item. *A copy of the information will be attached to the February 5, 2001 official minutes.*

Councilor Moll moved, Councilor Priest seconded, to set a public hearing for February 5, 2001 to consider the proposed amendments to the Traffic and Vehicles Ordinance (Section 15-74) relative to No Parking Areas on Union Street on a regular and emergency basis. The motion carried with nine (9) yeas.

11. **The Town Council will consider the appointment of Linda Stromski as Chair of Voter Registration Appeals Board and take any appropriate action.**

Manager Gerrish stated that Ms. Stromski would be a great addition to the committee. She worked in the Town Clerk's Department for three years. Ms. Stromski is a Brunswick resident and now works at the Secretary of State's Office in the Election Division in Augusta. The Chair of the Voter Registration

Appeals Board should have knowledge of election laws. Manager Gerrish highly recommended Ms. Stromski for the appointment.

Councilor Lowe moved, Councilor Dotts seconded, to appoint Linda J. Stromski as Chair of the Voter Registration Appeals Board. The motion carried with nine (9) yeas.

- 12. The Town Council will consider appointment of non-council members to the Mid Coast Council for Business Development and Planning and take any appropriate action.**

Manager Gerrish gave a brief update of the Mid Coast Council for Business Development. Mr. Gerrish recommended appointing three citizens who were also previous members prior to the merger: Alan Doughty, Doug Bolles, and Verdi Tripp, who moved from Topsham to Brunswick. Mr. Gerrish also recommended that he and the Director of Planning and Development alternate positions on this board. Mr. Gerrish would serve this year. The Town of Brunswick has an allocation for a fifth member to be determined at a later date.

Councilor Gleason moved, Councilor Lowe seconded, to appoint Alan Doughty, Doug Bolles, Verdi Tripp, and Donald Gerrish to the Mid Coast Council for Business Development and Planning. The motion carried with nine (9) yeas.

- 13. The Town Council will consider appointment to the Growstown School Committee and take any appropriate action.**

Councilor Gleason moved, Councilor Galloupe seconded, to reappoint Brooks Stoddard as the Pejepscot Historical Society member to the Growstown School Committee for a three-year term expiring 01/18/04. The motion carried with nine (9) yeas.

- 14. The Town Council will consider the following appointments:**

BOARD OF ASSESSMENT REVIEW

1 FULL MEMBER – Three year term to expire 01/12/04

Councilor Moll nominated Carroll E. Pennell, II for re-appointment for term expiring 01/12/04.

Councilor Moll moved, Councilor Feldman seconded, that nominations cease and that the Chair cast one vote for Carroll E. Pennell. The motion carried with nine (9) yeas.

BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

2 CITIZEN MEMBERS

Councilor Feldman nominated Robert Knapp.

Councilor Feldman moved, Councilor Dotts seconded, that nominations cease and that the Chair cast one vote for Robert Knapp. The motion carried with nine (9) yeas.

PERSONNEL BOARD

1 ASSOCIATE MEMBER – Three year term to expire 01/12/04

1 FULL MEMBER – Three year term to expire 01/12/04

Councilor Moll nominated Cindy Osgood for re-appointment as an Associate Member for term expiring 01/12/04 and nominated William J. Locke for re-appointment as a Full Member for term expiring 01/12/04.

Councilor Moll moved, Councilor Sartoris seconded, that nominations cease and that the Chair cast one vote each for Cindy Osgood and William J. Locke. The motion carried with nine (9) yeas.

Councilor Feldman stated that he and Councilor Sartoris interviewed both applicants who between them

had twenty years' service on the Personnel Board. He said that anyone who could hear them talk about the quality of the Police Officers and Firefighters they deal with on the Personnel Board, would appreciate that they take a great deal of pride in their work.

ZONING BOARD OF APPEALS/CODES APPEAL BOARD

1 ASSOCIATE MEMBER – Balance of three-year term to expire 07/01/01

Manager Gerrish stated that the members of the Zoning Board of Appeals are also members of the Codes Appeal Board.

Councilor Moll nominated Robert E. Broderick to the Zoning Board of Appeals and the Codes Appeal Board.

Councilor Moll moved, Councilor Priest seconded, that nominations cease and that the Chair cast one vote for Robert E. Broderick for each Board. The motion carried with nine (9) yeas.

The meeting adjourned at 9:00 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, Acting Town Clerk
January 18, 2001

February 5, 2001

Date of approval

Council Chair