

**BRUNSWICK TOWN COUNCIL MINUTES**  
**December 18, 2000**  
**MUNICIPAL MEETING FACILITY**

**7:30 P.M.** Chair McCausland called the meeting to order and asked for the Pledge to the Flag.

**Councillors Present:** Chair McCausland, Michael Feldman, Eleanor Swanson, Robert Galloupe, Timothy Dotts, Clement Wilson, Faith Moll, Forrest Lowe, and David Gleason.

**Councillors Absent:** None

**Others Present:** Donald Gerrish, Town Manager, Melissa Smith, Acting Town Clerk; Jerry Hinton, Police Chief; Alan Houston, Natural Resources Planner; Commander Robert Annese, Police Department; several citizens, members of the press and TV video crew.

**Minutes of Previous Meetings: December 4, 2000**

**Councilor Dotts moved, Councilor McCausland seconded, to approve the minutes of December 4, 2000. The motion carried with nine (9) yeas.**

**Correspondence:** None

**Manager's Report:**

Manager Gerrish sent greetings to the three third grade classes at Longfellow School and announced they will provide the entertainment at the January 2<sup>nd</sup> Inauguration.

1. **Financial Update** – There is still concern regarding the State Revenue Sharing but a new formula will give The Town of Brunswick a \$65,000 lump sum in June. This is a new formula that will give monies to core communities that provide services. He was still concerned that the Town of Brunswick will fall short in this account for this fiscal year.
2. **Town Office Closing for Holiday** – The Town Office will be closing Friday, December 22, 2000 at 11:30 a.m. for the Annual Christmas Party.
3. **Maine Criminal Justice Academy Tobacco and Substance Abuse Prevention Grant** – This grant will be used for teaching anti-smoking and anti-drug abuse in the schools. The Grant is for \$4,037.95. Chief Hinton asked the Council to accept the grant. He also explained that the money will be used for another LED projector. This will allow the Police Department to have a backup and to put a projector in the schools, so that when they do programs they can utilize the power point presentations and have a more professional delivery.

**Councilor Wilson moved, Councilor Feldman seconded, to accept the Grant for \$4,037.95. The motion carried with nine (9) yeas.**

4. **Cats** – Commander Robert Annese explained that there are issues which potentially affect the Police Department budget. The problem centers on the apparent change in the Animal Shelter's policy for accepting stray and injured cats from the Town of Brunswick's Animal Control Officer. *A copy of the memos and the Animal Shelter's Service Contract will be attached to the official minutes.* Commander Annese asked the Council for guidance in developing a policy concerning stray and injured cats. Manager Gerrish was instructed to report to the Council on this issue.

**Adjustments to the Agenda:** None

Chair McCausland announced that this was the last Council Meeting for Councilor Wilson and Councilor Swanson. Councilor Wilson had served on the Council for six years in District 5 and Councilor Swanson served for eight years in District 2. The Chair stated that the Town of Brunswick Council valued their service and will miss their opinions and concerns. Chair McCausland also stated that Councilor Wilson

would not be able to attend the Inauguration on January 2<sup>nd</sup>. Chair McCausland always viewed Councilor Wilson as a gentleman, who always looked at both sides of an issue before deciding, someone who prided himself in having financial common sense, and a Brunswick native who remembers what the Town looked like when he was young. Chair McCausland viewed Councilor Swanson as someone who is very deeply passionate about her environmental concerns and principals. She was never afraid to let the Council know about her opinions. Chair McCausland reminisced about what the Council had accomplished during these two Councilor's tenure. Chair McCausland stated that Councilor Wilson and Councilor Swanson should take great pride in these accomplishments. The Town Council would like to thank Councilors Wilson and Swanson for their service and dedication to the Town of Brunswick. The Town Council appreciated their service and the Town of Brunswick Council will miss them both.

Councilor Swanson was happiest about all the Open Space that the Town had acquired. Councilor Wilson stated that he had gained more than he gave, he loved serving on the Council but now he will be going to a warmer climate for three months.

**183. The Town Council will hear public comments on the following requests for Junkyard and Automobile Recycling Permits and take any appropriate action.**

**RENEWALS FOR JUNKYARDS:**

Robert R. Moody D/B/A Moody's Auto Parts  
117 Bath Road

Robert R. Moody

Patrick Pelkey D/B/A Pelkey Motors  
175 Rear Bath Road

Patrick Pelkey

**RENEWAL FOR AUTOMOBILE RECYCLING:**

Robert R. Moody D/B/A Moody's Auto Parts  
117 Bath Road

Robert R. Moody

The public hearing opened at 8:00 p.m. The public hearing closed at 8:01 p.m.

**Councilor Feldman moved, Councilor Wilson seconded, to approve the Junkyards and Recycling applications as advertised. The motion carried with nine (9) yeas.**

**184. The Town Council will consider approving the resolution appropriating funds to purchase 103 acres in West Brunswick (Cox Pinnacle) and take any appropriate action.**

*A copy of the resolution will be attached to the official minutes.*

**Councilor Moll moved, Councilor Dotts seconded, to approve the resolution appropriating funds to purchase 103-acre site in West Brunswick (Cox Pinnacle), Map 3, Lot 32, for the amount of \$250,000. The motion carried with eight (8) yeas and (1) nay, Chair McCausland.**

**185. The Town Council will discuss a policy concerning any conditions or restrictions to be placed on the Cox Pinnacle Property and take any appropriate action.**

Manager Gerrish explained that this item was to discuss any conditions that the Council would like to place on the Cox Pinnacle Property. The Friends of Cox Pinnacle asked the Council to consider conditions for the property. *A copy of the letter was attached to the official minutes of December 4, 2000.* Mr. Gerrish had also had a conversation with Lisa Martin, representative of the Friends of Cox Pinnacle, about this issue. Ms. Martin stated that there are donors who want to give money this year (2000) for tax purposes, but who also want to know what, if any, restrictions the Council is willing to put on the property.

The motion was to purchase the property and have the Friends of Cox Pinnacle raise half the funds,

\$125,000, over three years. Mr. Gerrish had been asked the following questions:

1. Will the Council agree not to sell any of the property if the Friends raise the \$125,000.00?
2. What restrictions for use of the property are proposed?
3. If the property needs to be sold, which property will it be?

**Lisa Martin** stated that it was the understanding of the Friends of Cox Pinnacle that this property would be permanently protected from development. The Friends also understand that if they do not raise the \$125,000.00, that house lots on the property would be sold to cover the difference of the short fall.

After much discussion, the consensus was that the Town of Brunswick rarely sells its property; therefore, it was very unlikely that the Town would sell this property. The Friends stated that they were very committed in raising the full \$125,000.00. It was also agreed that there would be no hunting; no motorized vehicles; low impact usage only, maintaining current usage, i.e. horse back riding, hiking, snow shoeing, cross-country skiing; and that parking lot(s) were needed regarding this property. It was also agreed that the Town Council would work with the Friends of Cox Pinnacle to decide, if the need arises, which property would be sold if the Friends did not raise the full \$125,000.

**Councilor Dotts moved, Councilor Galloupe seconded, that the intention of the Town Council would be not to sell the property if the \$125,000.00 was raised. The motion carried with nine (9) yeas.**

- 186. The Town Council will consider accepting a portion of King Fisher Drive as a public way and take any appropriate action.**

*A copy of the map, which was highlighted with the portion of King Fisher Drive, will be attached to the official minutes.*

**Councilor Feldman moved, Councilor Dotts seconded, to accept a portion of King Fisher Drive as a Town Way. The motion carried with nine (9) yeas.**

- 187. The Town Council will consider authorizing 6 months approvals for Beano/Games of Chance for the Elks Club, 55-Plus, Evergreens and Knights of Columbus and take any appropriate action.**

This item is the 6 month renewal for Beano and Games of Chance for Elks Club, 55-Plus, Evergreens and Knights of Columbus as proposed with the same dates and times as last renewal.

**Councilor Dotts moved, Councilor Feldman seconded, to renew the Beano and Games of Chance for Elks Club, 55- Plus, Evergreens, and Knights of Columbus. The motion carried with nine (9) yeas.**

- 188. The Town Council will receive a report concerning amending the Town's Towing Policy and take any appropriate action.**

Manager Gerrish recommended that the Council not make any changes but to place this item on the agenda for January 16, 2001, so that the citizens will have an opportunity to see the changes.

Commander Robert Annese explained the changes to the Town Council. He stated that there were no major changes. *A copy of the Towing Policy will be attached to the official minutes.* Commander Annese stated that there was an increase in rates. He also stated that the limit of qualified operators would be increased from 6 to 10. There is also a question as to whether there are six services in Town because one owner has three different businesses and some other owners do not own wreckers so they lease wreckers from other businesses when their week comes around. Commander Annese explained that the Department had been approached by other businesses but they did not want to be in the position of

regulating the free enterprise system.

Councilor Swanson asked if the owner of the three companies would be eliminated or included as three companies under the 10 qualified operators. Commander Annese responded that the three companies would be lumped into one qualified operator. Councilor Swanson stated that this would not solve the ethical problem. Commander Annese stated that more consultation with the Town Attorney would be necessary, but the three companies that do not have wreckers would be eliminated. He stated that the qualified operators would have to be individual wrecker services.

Manager Gerrish asked Commander Annese to explain how the wrecker list is used.

Commander Annese stated that there was a two-week rotation schedule in which six companies alternate wrecker calls for broken down motor vehicles, flat tires, people who have been arrested and their vehicle needs to be towed, and motor vehicle accidents. This was set up for the convenience of the Police Department so that they would be able to call anytime, have a wrecker within 15 to 20 minutes, get the mess cleaned up and the Police Officers back on the road.

**Councilor Feldman moved, Councilor Dotts seconded, to place this item on the agenda for discussion with the public on January 16, 2001 to consider the Town's Towing Policy changes. The motion carried with nine (9) yeas.**

**189. The Town Council will consider the appointment of Pauline Brillant as Registrar of Voters and take any appropriate action.**

**Councilor Galloupe moved, Councilor Lowe seconded, to reappoint Pauline Brillant as Registrar of Voters for a two-year term to expire December 31, 2002. The motion carried with nine (9) yeas.**

**190. The Town Council will receive a presentation by Maine Natural Gas concerning the proposed route the gas line will be taking in Brunswick and take any appropriate action.**

Manager Gerrish recommended that discussions begin regarding this proposed route and that another meeting be scheduled for January 16<sup>th</sup> to discuss this with the public.

The representatives from Maine Natural Gas were Roy Lane, Public Community Manager; Darrell Quimby, Vice President; Gary Kenney, Manager of Operations and Engineering; and Douglas Rice, Wright-Pierce Engineering Project Manager.

*A copy of the presentation will be attached to the official minutes.*

After a one and a half hour presentation, the Council discussed the proposed route.

Chair McCausland recommended that additional discussion take place at the January 16<sup>th</sup> or February 4<sup>th</sup> Council meeting. He also asked what the Town would receive in return for the Maine Natural Gas Line going under the Town of Brunswick's Bike Path.

The staff of Maine Natural Gas offered to negotiate terms beyond the tree plantings that were already offered, and reminded the Town that the line would be an asset that would benefit the Town in the long run. Private residences and businesses throughout Town would begin to have access as early as 2002 and most places would be accessible within five years.

Several Councilors questioned the viability of alternative routes that had been looked at and rejected. It was pointed out that these routes would be more environmentally damaging and more costly.

In response to questions posed regarding the extension of the pipeline to the Naval Air Station by September 2001, the staff of Maine Natural Gas stated that April is the planned construction period, and the total length of disruption would be about a month, with two to three weeks of actual construction time.

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They also pointed out that natural gas pipelines have been successfully placed near recreational areas in several places in New England, such as in Portland, Maine and in Arlington and Lexington, Massachusetts.

Councilors Swanson and Moll were looking toward monetary remuneration for the easement. In addition, Councilor Moll pointed out that the proposed route would go through the most densely populated area of Town and that the Bike Path is partially in a flood plain.

The presenters explained that the flood plain had been considered and the pipe would be constructed differently in that area to suppress buoyancy.

Chair McCausland explained that the natural gas lines have a right, by law, to pass under the public right of way, and that the Council was involved solely because the Bike Path is private property of the Town.

Manager Gerrish brought the Council up to date on the three previous meetings with staff regarding this issue and asked to have public input at the January 16, 2001 Council meeting.

**Ed Benedikt, Brunswick resident** -- suggested tying in the renovation of the swinging pedestrian bridge with this proposed project.

**Frank McVey, General Manager, Brunswick Sewer District** – stated that if the proposed route becomes the chosen one, it will cross Brunswick Sewer District property and the Sewer District would work very closely with the Town. If a different route is pursued, the Sewer District will not be part of the planning.

**A District 6 resident** -- posed questions regarding homeowners' insurance rates if there are natural gas pipelines running nearby, and why the state does not allow these pipelines running along the new overpass. Manager Gerrish explained that the state does not allow anything within their rights of way; they are not specifically excluding natural gas pipelines alone. There was no answer readily available as to the insurance rates.

The meeting adjourned at 9:50 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  
December 20, 2000

*January 16, 2000*

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Date of approval

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Council Chair