

**BRUNSWICK TOWN COUNCIL MINUTES**  
**November 20, 2000**  
**MUNICIPAL MEETING FACILITY**

**6:30 P.M.**

**Councilor Wilson moved, Councilor Dotts seconded, to enter into Executive Session to discuss possible acquisition of property. The motion carried with seven (7) yeas.**

**7:30 P.M.**

Vice Chair Moll called the meeting to order and asked for the Pledge to the Flag.

**Councilors Present:** Vice Chair Faith Moll, Michael Feldman, Eleanor Swanson, Robert Galloupe, Timothy Dotts, Clement Wilson, and Forrest Lowe.

**Councilors Absent:** Chair McCausland and David Gleason.

**Others Present:** Donald Gerrish, Town Manager, Melissa Smith, Acting Town Clerk; John Foster, Director of Public Works/Town Engineer; Jerry Hinton, Police Chief; several citizens, members of the press and TV video crew.

**Minutes of Previous Meetings: November 6, 2000**

**Councilor Wilson moved, Councilor Lowe seconded, to approve the minutes of November 6, 2000. The motion carried with seven (7) yeas.**

**Correspondence:**

1. Manager Gerrish stated that S.A.D. #75 had officially given written notice to terminate their lease on January 19, 2001. They also requested to use the cafeteria for an additional couple of weeks for storage.
2. Manager Gerrish announced that the Harley Davidson Owners Group will be having their State Rally in Brunswick on July 20 and 21, 2001. Residents and business people from other Maine Towns have given very positive feedback on this event. There will be between 900 and 1400 riders. Brunswick High School will be their rallying point. There will be a dance at the Atrium, showpieces in Town for residents to vote on, and a parade through the community. (The Air Show will be at a later date in the summer or possibly September.)

**Manager's Report:**

1. **Discussion of Appointments for Mid Coast Council for Business Development and Planning** – Manager Gerrish gave a brief history of the Mid Coast Council for Business Development and Planning, which was formed by merger between the Mid Coast Council for Business Development and Merrymeeting Council of Governments. There will be 29 members on the general board from the communities of Brunswick, Bath, Topsham, and Richmond. Brunswick will have 10 members. Five of these members must be Town Councilors. The other five members can be administration, Planner, or citizens of Brunswick. Mr. Gerrish suggested that he be appointed as administrative staff and appoint four citizens. Three citizens who are interested were also previous members prior to the merger Alan Doughty, Doug Bolles, and Verdi Tripp, who moved from Topsham to Brunswick.
2. **Report concerning status of a portion of Range Road** – Manager Gerrish stated that this issue has a long history in this community and it precedes his tenure as Town Manager. *A copy of the correspondence will be attached to the official minutes.* Mr. Gerrish was asking for guidance from the Council regarding acceptance of this portion of Range Road, about 900 to 1000 feet, "with out it being paved". The residents of this section of Range Road have been trying to find out what they need to do to have this section accepted by the Town. At the Council meeting of August 20, 1990, the residents brought a petition to the Council to accept this portion of Range Road without being paved. The Council voted to have the Manager work and review with the citizens and also stated that they "support future acceptance of the abandoned section of Range Road". The Town and citizens have been working on this issue for ten years. There are other issues concerning a well

in the right of way, drainage easements, etc.

*Scott Walker, 35 Range Road* – Mr. Walker stated that he has been the maintenance supervisor for these 900 feet of road for the last fifteen years. Some of the residents have pitched in money to keep the road going but there was not an association because it is an old county road. Range Road was supposed to be the entrance to Brunswick. Range Road was a totally dirt road, then the Town paved a portion to the Golf Course and later paved to the Animal Shelter. The dirt road remained after that and was continued to be used for many years. There was a telephone cable and also the CMP lines and the dirt road was the only available access. Even though the Town did not maintain it for many years it was still a public way. As residents started building, the Town did not make a decision on the status of this portion of road. Mr. Walker's understanding, after the August 20, 1990 Council Meeting, was that if the road came up to grade the Town would accept it. The residents had openly admitted that they could not afford to pave that section of road. He believes this is as good a road as any other in Brunswick. For the past ten years the United States Postal Service has been delivering mail and there have been no problems. The United States Government sees this as a public way because they do not put mailboxes on private ways. Mr. Walker requested again that this section of road be accepted as a public way.

*Edwin Fisk, 27 Range Road* – Mr. Fisk has lived on Range Road for fifteen years. He agreed with Mr. Walker's statements. When he bought his property, he understood from the Codes Enforcement Officer, that it was a Town owned right of way. Mr. Fisk stated that they needed the Town's help for maintaining this portion of the road.

Manager Gerrish stated that the Statue was clear that if the Town does not maintain those roads for a certain of length of time then they are assumed abandoned. Abandoned means the Town no longer has to care for or maintain the roads. There is still a right of passage by abutting property owners to go down those roads.

Director of Public Works/Town Engineer John Foster stated that he believed that portion of Range Road to be a private way according to former Town Manager John Bibber's December 22, 1987 letter. There are issues with the grading, gravel, drainage, a well in the right of way, no turnaround, etc. Once the Town owns a road and there are problems then they have to be addressed. What seems to be minor now may become major later.

Councilor Wilson asked about the well in the right of way and Manager Gerrish stated that the Town Attorney said that if they decided to accept the right of way then there would have to be a waiver of liability from the homeowners that if anything happened to the well the Town would not be responsible.

Councilor Lowe asked Mr. Foster, in reference to his August 13, 1990 memo, how much would the cost for improvements be in today's dollars. Mr. Foster answered that some of the prices have increased but not substantially.

Manager Gerrish asked the Council what would be acceptable.

After Council discussion, it was decided that if, the landowners were able to bring this portion of Range Road up to Town standards, as suggested by Director of Public Works/Town Engineer John Foster, the Council would consider accepting it without pavement.

**Adjustments to the Agenda:** None

- 177. The Town Council will conduct a public hearing to amend the Traffic and Vehicles Ordinance (Section 15-74), relative to No Parking Areas on Magean Street and take any appropriate action.**

Police Chief Jerry Hinton explained the problems with parking on Magean Street. Mr. Hinton

**Town Council Minutes  
November 20, 2000  
Page 3**

recommended that there be no parking on the north side commencing at Maine Street and extending westerly one hundred twenty five feet.

The public hearing opened at 8:44 p.m.

*Judy Warren, 9 Longfellow Avenue* – Ms. Warren was present on behalf of a landowner on Magean Street. People are parking on the landowner's property and creating a mess. She suggested to Manager Gerrish a granite curbing be installed. Trucks turn around in the driveway breaking it up. Ms. Warren thanked the Council for this solution.

The public hearing closed at 8:45 p.m.

**Councilor Wilson moved, Councilor Feldman seconded, to approve the Traffic and Vehicles Ordinance Section 15-74, relative to No Parking Areas on Magean Street on a regular basis. The motion carried with seven (7) yeas.**

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

CABLE TELEVISION COMMITTEE

4 CITIZEN MEMBERS – Three year terms to expire 09/06/03

Councilor Feldman nominated Roger Q. Fenn and John Berger for re-appointment and Kitt A. Scarponi for appointment.

**Councilor Feldman moved, Councilor Wilson seconded, that nominations cease and that the chair cast one vote for Roger Q. Fenn, John Berger, and Kitt A. Scarponi. The motion carried with seven (7) yeas.**

The meeting adjourned at 8:50 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  
November 29, 2000

*December 4, 2000*

---

Date of approval

---

Council Chair