

**BRUNSWICK TOWN COUNCIL MINUTES**

**June 2, 1997 7:30 P.M.**

**MUNICIPAL MEETING ROOM  
OLD BRUNSWICK HIGH SCHOOL  
6:45 P.M.**

**Councilor Gleason moved, Councilor Wilson seconded, to enter Executive Session along with the Town Manager to review a request for a poverty property tax abatement, discuss possible litigation, and discuss union negotiations. The motion carried with nine (9) yeas. (Councilors Feldman, Swanson, Galloupe, Laffely, McCausland, Wilson, Moll, Snyder and Gleason were present.)**

**7:30 P.M.**

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

**Councilors Present:** Chair Stephen McCausland, Michael Feldman, Eleanor Swanson, Robert Galloupe, Leon Laffely, Clement Wilson, Faith Moll, Ervin Snyder and David Gleason.

**Others Present:** Donald Gerrish, Town Manager; Deborah Cabana, Town Clerk; Andrew Singelakis, Director of Planning and Development; John Foster, Town Engineer; Town Attorney Geoff Hole; Thomas Davidson, State Representative; several citizens, members of the press and Casco Cable TV.

**Minutes of Previous Meetings:**

**Councilor Wilson moved, Councilor Laffely seconded, to approve the Council minutes of May 19, 1997 as distributed. The motion carried with nine (9) yeas.**

**Correspondence:** NONE

**Manager's Report:**

**1. 1996-97 Budget Update -** Manager Gerrish reported that the revenues and expenditures are in good shape. He anticipated that excise tax revenues would exceed budget by \$50,000 by the end of the fiscal year. State revenue sharing received has exceeded anticipated budget by \$12,000 through the month of May. Manager Gerrish commended the Department Heads for a job well done.

**2. 1997-98 Budget Public Hearing -** Manager Gerrish reminded the Council that the Public Hearing on the Proposed 1997-98 Budget is scheduled for Thursday, June 5, 1997 at 7:00 p.m. at the Municipal Meeting Facility.

**3. Report from Stephen Podgajny on the upcoming Library move to the old Brunswick High School -** A copy of Mr. Podgajny's comments will be attached to the official minutes.

**Adjustments to the Agenda:** Manager Gerrish requested the Council add Item #106 - The Town Council will discuss authorization for the Town Attorney to go forward on litigation for a junk yard permit. There was no objection to adding this item to the agenda.

**99. The Town Council will hear public comments on the following applications for Victualer licenses for:**

**New:**

Donald & Katherine Day d/b/a  
The Country Inn  
Rt. 1 & Rich Road

Donald & Katherine Day

**Renewals:**

Broadway Delicatessen, Inc.  
d/b/a Broadway Deli  
142 Maine Street

Nancy Cuff-Bigelow &  
Earl Bigelow

First Wok, Inc.  
d/b/a First Wok  
119 Maine Street

Chun-Fu Tao

Merrymeeting Racquet Club, Inc.  
d/b/a The Maine Event Downeast Sporting Club  
120 Harpswell Road

William Slattery

Paperworks, Inc.  
d/b/a Mix  
124 Maine Street

Michael Fournier

Glorious Foods, Inc.  
d/b/a Pane Vino II  
153 Park Row

Susan Berger  
Michele Donovan

Stowe House Operating Co., Inc.  
d/b/a The Stowe House  
63 Federal Street

Robert Mathews

The Public Hearing opened at 7:45 p.m. The Public Hearing closed at 7:45 p.m.

**Councilor Gleason moved, Councilor Feldman seconded, approval of the Victualer licenses as advertised. The motion carried with nine (9) yeas.**

**100. The Town Council will hear public comments on the proposed amendments to the Zoning Ordinance relative to technical amendments and for rezoning TC-1 and MU-6 as recommended by the Planning Board.**

Andrew Singelakis, Director of Planning and Development, explained the proposed amendments. Two amendments are zoning map changes and the technical amendments are mainly housekeeping items. The proposed changes do not change the intent of the new Zoning Ordinance in any way.

The Public Hearing opened at 7:47 p.m.

*Virginia Caruso* - spoke in favor of the amendments.

The Public Hearing closed at 7:48 p.m.

**Councilor Snyder moved, Councilor Moll seconded, approval of the proposed amendments to the Zoning Ordinance relative to technical amendments and the rezoning of TC-1 and MU-6 as recommended by the Planning Board. The motion carried with nine (9) yeas.**

**101. The Town Council will discuss the previous decision to rename a portion of the Old Gurnet Road to Purinton Road, and take any appropriate action. (Swanson)**

Chair McCausland declared he had a conflict of interest because the Purintons are his wife's family, therefore, turned the chair to Councilor Moll.

Councilor Swanson stated that Mr. Vachon wanted an opportunity to speak to the Council on this issue.

*Stephen Vachon* - stated that he is the only resident who lives on this road. He pays a considerable amount of taxes and because he will have to make changes pertaining to the new name of the road, he felt he should have some compensation for his personal cost.

*Richard Coffin, Old Gurnet Road* - did not want his road's name changed to Coombs Road and requested that it remain the Old Gurnet Road.

*Wilbur Purinton, Topsham, Maine* - stated that his family has owned land in that area for four generations and felt, historically, that the name of the road should be named after them. He requested that the Council sustain their recent decision.

All the councilors expressed that this was an uncomfortable situation to be placed in and that it was difficult to choose between the two names. There was concern of setting a precedence of "revisiting" items for a specific issue. After considerable discussion, it was the majority consensus of the Council to re-affirm their recent vote.

Chair McCausland resumed the Chair of the Council.

**102. The Town Council will discuss the recommendation from the Conservation Commission, Recreation Commission, and Planning Board that any proceeds obtained from the sale of tax acquired property be preserved in a dedicated fund for the purpose of land acquisition for open space and recreation, and take any appropriate action. (Swanson)**

This item is on the agenda at the request of Councilor Swanson. She would like to discuss the feasibility of setting a policy on dedicating proceeds from the sale of tax acquired property to a fund for the purpose of land acquisition for open space and recreation. Councilor Swanson felt that the Parks and Recreation Department could use all the monetary help they can get.

Manager Gerrish explained that the Town policy provides the property owners with every chance to redeem their own property. Notices have been sent to the most recent property owners, who have until June 27th to redeem their parcels. Mr. Gerrish was not aware of the Town selling tax acquired properties, during his tenure, except back to the owners. If the Council would like a more detailed plan of how to dedicate these funds, Manager Gerrish offered to return with one for their consideration.

Several councilors expressed concern with committing future Councils to an ordinance for this procedure.

Councilors Moll and Swanson both felt this would be a positive step to establish procedures for dedicating these funds.

**Councilor Moll moved, Councilor Swanson seconded, to instruct the Town Manager to proceed with an ordinance addressing this issue and return to the Council for discussion. The motion was voted on and failed with two (2) yeas (Councilors Swanson and Moll) and seven (7) nays.**

**103. The Town Council will consider a poverty property tax abatement request and take any appropriate action. (Manager)**

**Councilor McCausland moved, Councilor Gleason seconded, that the poverty property tax abatement request be denied. The motion carried with nine (9) yeas.**

**104. The Town Council will consider the request of a Town employee for a 4 week extension of worker's compensation benefits, and take any appropriate action. (Manager)**

This item is the request for an extension of worker's compensation benefits for four additional weeks. The employee's union contract specifies that the Council needs to approve the request for extension.

**Councilor Feldman moved, Councilor Wilson seconded, to extend Mark Weisner's worker's compensation benefits for four additional weeks. The motion carried with nine (9) yeas.**

**105. The Town Council will consider making appointments to the following board/committees:**

*Davis Fund Committee -*

3 Full Members - Three year terms to expire 06/30/00

**Councilor Moll moved, Councilor Snyder seconded to re-appoint Millie Stewart, Arlene Morris and Orville Ranger as full members to the Davis Fund Committee for three (3) year terms to expire 06/30/00. The motion carried with nine (9) yeas.**

*Fifty-Five Plus Center Board of Trustees -*

2 Full Members - Three year terms to expire 07/01/00

Councilor Wilson nominated Henry Beltramini and F. Dorothy Kerr.

Councilor Galloupe nominated Karen Hastings.

**Councilor Laffely moved, Councilor Feldman seconded that nominations cease. The motion carried with nine (9) yeas.**

Henry Beltramini was appointed with eight (8) votes - Councilors Feldman, Swanson, Gleason, Snyder, Moll, Wilson, Laffely, and McCausland.

F. Dorothy Kerr was appointed with six (6) votes - Councilors Feldman, Galloupe, Gleason, Moll, Wilson, and McCausland.

Karen Hastings received four (4) votes - Councilors Snyder, Swanson, Galloupe and Laffely.

*Housing Authority -*

1 Full Member - Five year term to expire 06/03/02

**Councilor Feldman moved, Councilor Moll seconded to appoint James MacLeod to the Housing Authority as a full member for a five (5) year term to expire 06/03/02. The motion carried with nine (9) yeas.**

*Recreation Commission -*

2 Full Members - Three year terms to expire 07/01/00

1 Full Member - Balance of a three year term to expire 07/01/99

Manager Gerrish recommended that the Council re-advertise the position of the balance of a three year term to expire 07/01/99. Normally, positions are advertised for approximately six weeks. This position became open after a recent resignation and was advertised for only two weeks. In the past there has been concern from citizens who were not given adequate notice of an opening. Given this information, the Council concurred that the position needed to be advertised for the additional time.

Councilor Wilson nominated Kristina Hodgdon and James Burbank.

**Councilor Moll moved, Councilor Laffely seconded that nomination cease. The motion carried with nine (9) yeas.**

Both Kristina Hodgdon and James Burbank were re-appointed to the Recreation Commission with nine (9) votes each.

*Zoning Board of Appeals -*

1 Assoc. Member - Three year term to expire 07/01/00

**Councilor Moll moved, Councilor Wilson seconded to re-appoint Richard I. Stark as an associate member for a three (3) year term to expire 07/01/00. The motion carried with nine (9) yeas.**

106. **The Town Council will discuss authorization for the Town Attorney to go forward on litigation for a junk yard permit.**

**Councilor Wilson moved, Councilor Laffely seconded, to authorize the Town Attorney to commence an action against Ernest Jewett, Jr. to bring his auto graveyard and junkyard into compliance with state law and local ordinance. The motion carried with nine (9) yeas.**

State Representative Tom Davidson informed the Council that the Legislature adjourned last night. He thanked the Council, Town administration, and the citizens of Brunswick for their support during the recent Legislative session. He commented on the great "spirit of unity" and felt that good things were done for the Town.

**Councilor Feldman moved, Councilor Laffely seconded, to adjourned the meeting. The motion carried with nine (9) yeas.** The meeting adjourned at 8:45 p.m.

\*The Council adjourned the regular meeting and entered into a workshop session to receive information from the Town Manager on the 1997-98 Budget.

*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  
June 9, 1997

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Date of approval

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Council Chair