

BRUNSWICK TOWN COUNCIL MINUTES

April 6, 1998 7:30 P.M.

MUNICIPAL MEETING ROOM
OLD BRUNSWICK HIGH SCHOOL
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, Eleanor Swanson, Robert Galloupe, Timothy Dotts, Clement Wilson, Faith Moll, Ervin Snyder, and David Gleason.

Others Present: Donald Gerrish, Town Manager; Deborah Cabana, Town Clerk; Geoff Hole, Town Attorney; Tom Farrell, Director of Parks and Recreation; Alan Houston, Natural Resources Planner; William Collins, Marine Warden; Philip Harriman, State Senator; several citizens, members of the press and Casco Cable TV.

Minutes of Previous Meetings:

Councilor Wilson stated that the figure "\$600,00" (#2 - under the Manager's Report) should be corrected to read \$600,000. **Councilor Wilson moved, Councilor Snyder seconded, to approve the Council minutes of March 16, 1998 as distributed and corrected. The motion carried with eight (8) and one abstention - Councilor Swanson was absent from this meeting.**

Correspondence: It was noted that a Hollywood production company is coming to this area to do a film called "Message in a Bottle". The Town Manager was respectfully encouraged to write a letter of welcome on behalf of the Council to the film company and invite a member of the company to address the Council at the company's convenience. This fine economic boon to the region should not go unnoticed.

Manager's Report:

1) Budget Update. We are currently nine months through the fiscal year. The status of the 1997-98 Budget is good for both revenues and expenditures. State revenue shares will be higher than anticipated. Mr. Gerrish acknowledged that some of the accounts in the Public Works Department will be overdrawn, based upon the town clean up program. However, much of the cost will be offset by the FEMA program. Manager Gerrish reminded the public that the town will be picking up limbs and brush from the winter's ice storm, starting April 13th. The citizens were encouraged to have all their storm debris on the side of the road by this date.

2) Presentation of Transportation Safety Project Plaque. Chief Hinton presented a plaque to the Council from the Maine Transportation Safety Coalition for improving transportation in our community. Commander Annese explained that the Coalition focuses on safety issues covering all types of transportation.

Chief Hinton introduced **Thomas Garrepy**, Brunswick's newest police officer.

3) Informal meeting with Sewer District. The Sewer District notified the Town Manager that they would like to meet informally with any Councilors who are interested in discussing matters of mutual interest. Councilors Feldman, Swanson, and Galloupe stated they would be interested in participating.

4) Cable TV Coverage. Manager Gerrish reported that negotiations with Casco Cable are near completion. We will start doing our own coverage for Brunswick meetings of the Town Council, School Board, Planning Board, and Zoning Board of Appeals. We will have our own exclusive channel 13 and will no longer be able to see town meetings in surrounding communities. The next Council meeting should be the start of this new program.

5) Centennial Parks Conference. Tom Farrell updated the Council on the Centennial Parks Conference which was held in Boston. Brunswick had many representatives who attended the conference. He explained that March 7, 1998 marked the 100th anniversary of the parks movement in this country. The first formal meeting of park professionals occurred in the Brunswick Hotel in Boston, Mass (March 1898). March 7th was identified as citizen advocacy day where opportunity is given to citizens to talk to decision makers of national recreational department associations. Mr. Farrell suggested sponsoring a citizen's day for Parks in Brunswick (possibly in July). He read a proclamation signed by Governor King supporting advocacy for public park and recreation resources, which will be attached to the official minutes.

6) Councilor Snyder, co-chair of the library project, stated that a lot of good things have happened since the bid opening for the library construction (which was about \$600,000 over the authorized amount). The low bidder was Ledgewood, Inc. A Clerk of the Works has been employed. A number of areas were identified where reductions could be made which will not produce a significant reduction in quality. The exterior will be unchanged. The library board will be seeking other sources of funding for the furnishings of the building. Adjustments made to date leave the project \$30,000 to \$50,000, instead of \$600,000, over budget.

7) Manager Gerrish thanked Senator Harriman for sending information about the recently passed Homestead Property Tax Exemption legislation. Mr. Gerrish explained that citizens of Maine will be eligible for a reduction in the assessment of their property, resulting in a tax reduction. Forms will be available in the Town Office and must be completed and returned no later than May 15th. He anticipated that the reduction for Brunswick residents will be approximately \$126.00.

8) Chair McCausland reported that tomorrow Governor King will be signing the Brunswick Harpswell town line bill. It will go into effect at the end of summer (90 days from signing).

Senator Harriman - extended his congratulations to Brunswick and Harpswell for solving their boundary line dispute. He further expressed his support of the Homestead Exemption. He informed the Council that this mandate has been enacted by the State, and therefore, the state will pay 90 percent of the cost to implement the program.

Adjustments to the Agenda: NONE

55. The Town Council will hear public comments on the following request for a new Victualer license for:

Maine Pines Racquet Club, Inc.
d/b/a Maine Pines Racquet Sports
120 Harpswell Road

Robert Russell Manker

The Public Hearing opened at 8:00 p.m. The Public Hearing closed at 8:00 p.m.

Councilor Moll moved, Councilor Gleason seconded, to approve the Victualer's license for Maine Pines Racquet Club, Inc. The motion carried with nine (9) yeas.

56. The Town Council will hear public comments on the following request for a new Alcoholic Beverage license for:

Full-time Malt:
Maine Pines Racquet Club, Inc.
d/b/a Maine Pines Racquet Sports
120 Harpswell Road

Robert Russell Manker

The Public Hearing opened at 8:01 p.m. The Public Hearing closed at 8:01 p.m.

Councilor Moll moved, Councilor Wilson seconded, to approve the Alcoholic Beverage license for Maine Pines Racquet Club, Inc. The motion carried with nine (9) yeas.

57. The Town Council will consider clarifying the motion made on March 16, 1998 concerning the Solar Ridge Subdivision Tax-Acquired property relative to Lot 16 and Lot 17. (Snyder)

Councilor Gleason stated that he would again abstain from discussion because of a possible conflict of interest.

Councilor Snyder moved, Councilor Wilson seconded, to authorize the Town Manager, in consultation with the Town Attorney, to prepare and execute an additional quit claim deed to the Leonards, necessary to accomplish the Council's purpose of putting the parties (i.e. the Solar Ridge developer, now the Quarry Road Neighborhood Association, and the Leonards, owning neighboring property) into the same relative positions which they occupied immediately before the Town's tax lien foreclosure placed title of the subject property in the Town's ownership. The motion carried with eight (8) yeas and one abstention - Councilor Gleason.

58. The Town Council will receive a report from the Browntail Moth Committee and Conservation Commission concerning the Browntail Moth condition in Brunswick and will ask for authorization of funds in the amount of \$5,000 to spray at the end of Merepoint. (Manager)

Bill Smith of the Conservation Commission asked the Council to authorize funds in the amount of \$5,000 to spray at the end of Merepoint. He anticipated that spraying would occur during the middle of April to the end of May. Funding will come from the Contingency Account.

Councilor Swanson moved, Councilor Wilson seconded, to authorize \$5,000 to spray the end of Merepoint for Browntail moths, funding to come from the Contingency Account. The motion carried with nine (9) yeas.

59. The Town Council will consider setting a public hearing for April 21, 1998 to repeal and replace the Gurnet Shellfish Closure, Area VII. (Manager)

Marine Warden Bill Collins requested that the Council set a public hearing to repeal and replace the Gurnet Shellfish Closure, Area VII. This will create an additional twenty acres for harvesting. The public hearing would be scheduled for April 21, 1998 and the effective date would be April 22, 1998.

Councilor Feldman moved, Councilor Swanson seconded, to schedule a public hearing for April 21, 1998 to repeal and replace the Gurnet Shellfish Closure, Area VII, as recommended by the Marine Resources Committee. The motion carried with nine (9) yeas.

- 60. The Town Council will consider setting a public hearing for April 21, 1998 to approve the Harpswell Cove Area Closure for the purpose of resource conservation. (Manager)**

Warden Collins explained that the water quality test has come back unsatisfactory for harvesting. The Department of Marine Resources has deemed that this area be closed. This item is to set a public hearing for April 21, 1998 to approve a new closure at the Harpswell Cove Area, for the purpose of resource conservation. The effective date would be April 22, 1998.

Councilor Dotts moved, Councilor Galloupe seconded, to schedule a public hearing for April 21, 1998 to approve the Harpswell Cove Area Closure for the purpose of resource conservation, as recommended by the Marine Resources Committee. The motion carried with nine (9) yeas.

- 61. The Town Council will consider accepting property from Valerie P. Chow, located off of Rt. 123, and take any appropriate action. (Manager)**

This item is to accept property located off of Rt. 123, from Valerie Chow. This 6 acres of property consists of Coffin's Ice Pond (which is sometimes called Coffin's Pond). The pond itself consists of about 3 1/2 acres. The Town will be using this property for passive recreation. It was estimated that the cost to rebuild the dam will be approximately \$8,000 to \$10,000. Mr. Farrell felt that acquiring this property would preserve a very valuable open space. The access point to this property would be adjacent to the Maine Event Tennis Facility. The approximate assessed value of the property is \$3,000. Therefore, the amount of taxes which will not be received from this property is less than \$60.00 annually.

A copy of the Quit Claim Deed with Covenant will be attached to the official minutes.

Councilor Swanson requested that signs be placed on adjacent private properties which would discourage the public from using them for access to the recreation area.

Manager Gerrish pointed out that this action would be another positive step in providing public areas for Brunswick citizens.

Councilor Moll moved, Councilor Swanson seconded, to accept the Quitclaim Deed with Covenant from Valerie P. Chow. The motion carried with eight (8) yeas - Councilor Dotts was not present during the vote.

- 62. The Town Council will consider setting a public hearing for April 21, 1998 to amend the Traffic and Vehicle Ordinance, Section 15-50 - No Left Turn, and amend this to be Right Turn Only as it pertains to the junction of Pleasant Street (Route 1) and the most easterly exit from the Texaco Quick Mart/Express Lube at 162 Pleasant Street; and also at the intersection of Park Row and the Unnamed Public Way which runs from the First Parish Church on the Bath Road to Maine Street. (Manager)**

Commander Robert Annese explained that Councilor Snyder had requested that the area around the "Spanish Triangle" be evaluated for public safety. Mr. Annese explained that "Right Turn Only" would not only prohibit left turns, but prohibit proceeding straight across the road as well.

Councilor Snyder moved, Councilor Feldman seconded, to set a public hearing for April 21, 1998 to consider amending the Traffic and Vehicle Ordinance relative to Right Turn Only, as proposed by the Police Department. The motion carried with nine (9) yeas.

- 63. The Town Council will consider purchasing property located off River Road and adjacent to the Coffin Pond recreation area, and take any appropriate action. (Manager)**

Director of Parks and Recreation Tom Farrell stated that the Town has been in negotiations for several months concerning the possibility of purchasing property abutting the Coffin Pond recreation area. Mr. Farrell requested authorization to purchase the 6+ acres of property for \$25,000 and that the funds come from Recreation Impact Fees to pay for the purchase. If the Town purchases this property, it would be in keeping with the Council's goal to acquire public access to water front properties. It also lends itself to what is reflected in the comprehensive plan. He felt it was a wise investment in the long term future recreation plan for the Town.

Councilor Feldman moved, Councilor Moll seconded, to authorize the purchase of 6+ acres of property, adjacent to the Coffin Pond recreation area, for \$25,000 and that the funds come from the Recreation Impact Fees. The motion carried with eight (8) yeas and one (1) nay - Councilor Dotts.

- 64. The Town Council will consider signing a Proclamation declaring May 10-16, 1998 as National Senior Centers Week in the Town of Brunswick. (Manager)**

We received a request from the 55 Plus Center to proclaim May 10-16, 1998 as National Senior Centers Week in the Town of Brunswick. National Senior Centers Week is being observed all over the country.

Councilor Feldman moved, Councilor Dotts seconded, to sign the Proclamation declaring May 10-16, 1998 as National Senior Centers Week. The motion carried with nine (9) yeas.

- 65. The Town Council will approve the Election Clerks for 1998 and 1999. (Cabana)**

Election Clerks for the Town must be appointed by April 1st of each even numbered year. A list of the Election Clerks nominated by the Democratic and Republican parties will be attached to the official minutes.

Councilor Wilson moved, Councilor Dotts seconded, to approve the list of Election Clerks for 1998 and 1999. The motion carried with nine (9) yeas.

- 66. The Town Council will consider approving the request of Flying Changes Center to hang a banner over Maine Street from September 21 to October 5, 1998 to promote the Royal Lipizzan Stallions benefit performance. (Manager)**

Councilor Moll moved, Councilor Wilson seconded, to approve the request of Flying Changes Center to hang a banner over Maine Street from September 21-October 5, 1998 to promote a benefit performance of the Lipizzan Stallions. The motion carried with nine (9) yeas.

- 67. The Town Council will consider approving the request of the Memorial Day Committee to hang a banner over Maine Street from May 18-25, 1998 to commemorate Memorial Day to be observed on May 25, 1998. (Manager)**

Councilor Moll moved, Councilor Wilson seconded, to approve the request of the Memorial Day Committee to hang a banner over Maine Street from May 18-25, 1998 to promote the Memorial Day activities to be held May 25, 1998. The motion carried with nine (9) yeas.

68. The Town Council will discuss the Codes Appeal Board, and take any appropriate action. (Manager)

This item is to discuss the possibility of naming the members of the Zoning Board of Appeals to the Codes Appeal Board. The Town has advertised for many, many months to fill the positions available on the Codes Appeal Board. We have not received any applications for this Board. Members of the Zoning Board of Appeals are willing to take on the responsibilities of the Codes Appeal Board.

Councilor Moll moved, Councilor Wilson seconded, to waive the Rules of Procedures in order to appoint members to the Codes Appeal Board this evening. The motion carried with nine (9) yeas.

Councilor Moll moved, Councilor Snyder seconded, to appoint Zoning Board of Appeals members James M. Connellan (full member - term to expire 11/20/00), Norman J. Rattey (full member - term to expire 11/20/00), John Poutree (full member - term to expire 12/18/99), William D. Lamb (full member - term to expire 11/20/98), Steven G. Garrett (full member - term to expire 11/20/98), Kendall R. Ames (associate member - term to expire 12/18/99), and John Richardson Jr. (associate member - term to expire 7/1/98) to the Codes Appeal Board. The motion carried with nine (9) yeas.

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

Conservation Commission

- 1 Full Member - balance of three year term to expire 05/01/99
- 1 Full Member - balance of three year term to expire 05/01/00
- 2 Full Members - three year terms to expire 05/01/01

Councilor Moll nominated R. Forrest Dillon to the Conservation Commission for the balance of a term to expire 05/01/99.

Councilor Feldman nominated William Smith to the Conservation Commission for a three year term to expire 05/01/01.

Councilor Wilson moved, Councilor Gleason seconded, that nominations cease and that the Chair cast one vote to appoint these two individuals. The motion carried with nine (9) yeas.

Solid Waste Management Advisory Committee

- 1 Full Member - balance of three year term to expire 01/01/99
- 1 Full Member - balance of three year term to expire 01/01/00
- 1 Full Member - three year term to expire 01/01/01

Councilor Feldman nominated Robert Jarret to the Solid Waste Management Advisory Committee for the three year term to expire 01/01/01.

Councilor Swanson nominated Brian Banton to the Solid Waste Management Advisory Committee for the balance of a three year term to expire 01/01/00.

Councilor Wilson moved, Councilor Gleason seconded, that nomination cease and that the Chair cast one vote to appoint these two individuals. The motion carried with nine (9) yeas.

Traffic and Safety Committee

6 Citizen Members - two year terms to expire 04/01/00

Councilor Dotts nominated James Grant.

Councilor Moll nominated Laurie Dell and **moved that nomination cease and that the Chair cast one vote for each. Councilor Dotts seconded the motion. The motion carried with nine (9) yeas.**

Councilor Dotts moved, Councilor Feldman seconded, to adjourn the meeting. The motion carried with nine (9) yeas. The meeting adjourned at 9:15 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.

Deborah S. Cabana
Town Clerk
May 19, 2011

Date of approval

Council Chair