

BRUNSWICK TOWN COUNCIL

MINUTES

**FEBRUARY 1, 1999
MUNICIPAL MEETING FACILITY**

7:32 p.m.

Chair McCausland called the meeting to order and asked for the pledge to the flag.

Councilors Present: Chair Stephen McCausland, Michael Feldman, Robert Galloupe, Clement Wilson, Vice-Chair Moll and Forrest Lowe.

Councilors Absent: Eleanor Swanson, Timothy Dotts and David Gleason.

Others Present: Donald Gerrish, Town Manager; Melissa Smith, Deputy Town Clerk; Theo Holtwijk, Director of Planning and Development; William Collins, Marine Warden, citizens, members of the press and TV Video Crew.

Correspondence:

A letter of resignation from Earl McFarland, resident member of the Brunswick Housing Authority, was received. A letter of appreciation will be sent and the opening will be advertised.

Minutes of Meetings:

Councilor Feldman moved, Councilor Galloupe seconded, to approve the minutes of January 19, 1999 as distributed. The motion carried with five yeas. Councilor Wilson abstained.

Manager's Report:

1. Financial Update

Manager Gerrish stated that seven months through the fiscal year both the revenues and the expenditures were in fine shape. The two major revenue categories are excise tax and state revenue sharing. The excise taxes were at 60%, which was projected, and the state revenue sharing was above projection. On the expenditure side of the budget all departments were in very good shape.

2. Boston Post Cane

Manager Gerrish reported the Boston Post Cane was given to the Pejepscot Historical Society. He was in the process of working with the Pejepscot Historical Society as to how to display the Boston Post Cane for the citizens to view. Manager Gerrish will be working with the new director to set up a program for the citizens to learn about the history of the cane.

3. Update on Rail Services to Brunswick

John Carter, Manager in Wells, and Chair of the Maine Rail Authority, was present to update the Council on rail services to Maine and specifically to Brunswick. He stated phase one will be

Town Council Minutes

February 1, 1999

Page 2

setting 78 miles of track from Plaistow, NH to Portland. Phase two will be setting 28 miles of track from Portland to Brunswick. The Maine Rail Authority will pay to have a 400 foot platform designed and built for Brunswick and Freeport. The platform will be canopied and lighted. That is all the Authority needs to have the train stop. The Town needs to plan sufficient area for parking and the platform so that the train will be totally on the property so as not to block traffic during boarding. Brunswick may also be a layover facility, which Amtrac would be building to house the crew. The Maine Rail Authority will be working with Brunswick to help find funding for a facility.

Chair McCausland asked if the rail service would be in Brunswick within 2 years.

Mr. Carter answered that the Maine Rail Service estimates that once service starts in the year 2000 that Brunswick will be following the next year or the next construction year.

Councilor Lowe asked if any consideration was given to the marketing studies relative as to what to expect the demand would be from Brunswick or Freeport to Portland then Boston.

Mr. Carter answered no, but it will be. There will be an extensive market research program done.

Adjustments to the Agenda: None

- 13. The Town Council will hear public comments on the proposal to repeal the New Meadows River/Woodward Point conservation closure enacted on July 8, 1997 to allow the harvesting of soft-shell clams and Quahogs.**

Marine Warden Bill Collins requested, on behalf of the Marine Resource Committee, that the Council repeal this conservation closure and open up the area for harvesting. The Town wide closure will be beginning in the next three weeks. The Committee feels that this area will be dug and turned over again before the Town wide closure. (Attachment to permanent minutes)

The public hearing opened at 7:58 p.m. The public hearing closed at 7:58 p.m.

Councilor Feldman moved, Councilor Moll seconded, to approve the repeal of the New Meadows River/Woodward Point conservation closure effective February 2, 1999. The motion carried with six yeas.

- 14. The Town Council will hear public comments on the proposal to change the location of the open area under the exception clause of the town-wide closure between February 20th through April 30th of each year; and that Council close this same area each year from May 1st to June 30th.**

Marine Warden Bill Collins stated that the 1999 results of the shellfish survey shows a reduction in the Maquoit Bay East of 520 bushels of harvested product and Maquoit Bay West a decrease of 436 bushels of harvested product. Harpswell Cove showed an increase of 597 bushels of harvested product. This area is large enough to take the extra pressure off all the diggers and has good access. This has also been approved by the Department of Marine Resources. (Attachment to permanent minutes)

Chair McCausland asked why the Town wide closure takes effect.

Marine Warden Collins stated this was one of the Town of Brunswick's conservation measures. Another would be the decrease in days for harvesting. The bays are usually frozen over during this time and the harvesters cannot dig anyway. Conservation helps to let some of the areas heal over.

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

Councilor Feldman moved, Councilor Lowe seconded, to approve the change in location of the open area under the exception clause of the town-wide closure between February 20th through April 30th of each year; and the Council close this same area each year from May 1st to June 30th, effective February 19, 1999. The motion carried with six yeas.

15. **The Town Council will consider setting a public hearing for February 19, 1999 to amend the Personnel Ordinance relative to compensatory time for middle managers.**

Manager Gerrish stated under the Town's Personnel Ordinance, Department Heads receive 40 hours compensatory time a year for attendance at various night meetings. They must use the time in that year or it is lost. The second tier of middle managers also put in these extra hours and are not reimbursed. Manager Gerrish was recommending to add these seven positions under the compensatory times: Deputy Public Works Director, Deputy Fire Chief, Deputy Parks & Recreation Director, Natural Resources Planner, Codes Enforcement Officer, Parks & Facilities Manager, and the Recreation Program Assisant. This proposal would recognize the additional hours of work these individuals do during the fiscal year.

Councilor Moll moved, Councilor Wilson seconded, to schedule a public hearing for February 19, 1999 to amend the Personnel Ordinance relative to compensatory time for middle managers. The motion carried with six yeas.

16. **The Town Council will consider authorizing the Municipal Warrant for prosecuting Unlicensed Dog Owners/Keepers.**

Councilor Lowe moved, Councilor Moll seconded, to authorize the Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers. The motion carried with six yeas.

17. **The Town Council will make a decision on the style of railing for the Spring Street Bridge.**

Manager Gerrish stated he was working with the Department of Transportation for the replacement of the railings on the Spring Street railroad bridge. The Maine Department of Transportation (MDOT) has left it up to the Town to decide what style of railing to use. The alternatives were two different types of rail, painted steel posts with timber rail (which is the same as the Federal Street bridge) or galvanized 4-bar steel bridge rail. MDOT recommends the galvanized 4-bar steel bridge rail. If the Town decides for the timber rail, the estimated increase cost to the project would be approximately \$50,000. The Town would be responsible for paying 20%, approximately \$10,000, for the increased cost. A meeting with the residents showed some liked the galvanized rail and some the timber rail.

Councilor Moll moved, Councilor Wilson seconded, to choose painted steel posts with timber rail as the railing for the Spring Street Bridge. The motion carried with six yeas.

Councilor Galloupe asked who owns the bridge, in case of an accident, who replaces the rail?

Mr. Gerrish stated that the State owns the bridge and would be responsible for the repairs. The additional cost of \$50,000 is a small part of the whole project, which will cost approximately 1.2 to 1.5 million dollars.

18. The Town Council will consider approving the request of the Friends of the Curtis Memorial Library to hang a banner over Maine Street to promote their annual Book Sale from June 21, 1999 to June 28, 1999 and the request of the Bowdoin Summer Music Festival to hang a banner over Maine Street from June 28, 1999 to July 12, 1999.

Manager Gerrish wanted to thank the Bowdoin Summer Music Festival because there was a conflict of time with the Curtis Memorial Library Book Sale. The Music Festival switched their time around so that the Town could accommodate both the requests.

Councilor Lowe moved, Councilor Moll seconded, to authorize the Friends of Curtis Memorial Library to hang a banner over Maine Street from June 21-28, 1999 and authorize Bowdoin Summer Music Festival to hang a banner over Maine Street from June 28, 1999 to July 12, 1999. The motion carried with six yeas.

19. The Town Council will review the evaluation of the Town Manager, and take any appropriate action.

Chair McCausland stated every couple of years the Council evaluates the Town Manager. The Council did this a few weeks ago. The Council was unanimous in its praise and its pride for Don Gerrish, who has been Town Manager for the past 10 years.

Chair McCausland moved, Councilor Moll seconded, to compensate Manager Gerrish, for his exceptional evaluation, by donating a \$4,000 lump sum payment to his deferred compensation plan. The motion carried with six yeas.

20. The Town Council will discuss and set their 1999 Goals and Objectives.

Chair McCausland suggested not to adopt the goals and objectives because there are only six councilors present but to see if there was some consensus to narrow them down. Also, he suggested they wait until the next Council Meeting to adopt and discuss them in detail.

Chair McCausland read the 1999 goals and objectives. (Attachment to permanent minutes)

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

Assessment Review Board - 2 Full Members - 3 year terms to expire 01/12/02

Councilor Wilson nominated Benson Ford and Richard McInnes.

Councilor Wilson moved, Councilor Moll seconded, that nominations cease and that the Chair cast a single ballot for the two candidates. The motion carried with six yeas.

Benson Ford was re-appointed as a full member to the Assessment Review Board for a three year term to expire 01/12/02. Richard McInnes was appointed as a full-member of the Assessment Review Board for a three year term to expire 01/12/02.

Growstown School Committee--1 Full Member-AAUW Rep. - 3 year term to expire 01/18/02

Councilor Wilson moved, Councilor Feldman seconded, to appoint Millie Simpson Stewart as a full member - AAUW representative to the Growstown School Committee . The motion carried with six yeas.

Millie Simpson Stewart was re-appointed as a full member - AAUW Representative to the Growstown School Committee .

Personnel Board--2 Full Members - 3 year terms to expire 01/12/02

These appointments were tabled until the next meeting, February 16, 1999.

**Planning Board-- 2 Full Members - 3 year terms to expire 02/23/02
 1 Assoc. Member - Balance of 3 year term to expire 02/23/01**

These appointments were tabled until the next meeting, February 16, 1999.

**Solid Waste Management Advisory Committee--
 3 Full Members - 3 year terms to expire 01/01/02
 1 Full Member - Bal. of 3 year term to expire 01/01/00**

Councilor Moll nominated Macky Bennett and Patrick J. Coughlin.

Councilor Moll moved, Councilor Wilson seconded, that nominations cease and that the Chair cast a single ballot for each candidate. The motion carried with six yeas.

Macky Bennett and Patrick J. Coughlin were re-appointed to the Solid Waste Management Advisory Committee as full-members with three year terms expiring 01/01/02.

**Welfare Appeals Board -- 1 Assoc. Member - 2 year term to expire 01/28/01
 2 Full Members - 2 year terms to expire 01/28/01**

Councilor Moll moved, Councilor Wilson seconded, that the Chair cast a single ballot for Ruth S. Benedikt. The motion carried with six yeas.

Ruth S. Benedikt was re-appointed as a full member of the Welfare Appeals Board for a two year term to expire 01/28/01.

The meeting adjourned at 8:40 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
Deputy Town Clerk
02/04/99

Date of Approval

Council Chair