

7:00 P.M.

Councilor Wilson moved, Councilor Dotts seconded, to enter Executive Session to discuss Union Negotiations. The motion carried with eight yeas.

## BRUNSWICK TOWN COUNCIL

### MINUTES

FEBRUARY 16, 1999  
MUNICIPAL MEETING FACILITY

7:35 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, Timothy Dotts, Robert Galloupe, Clement Wilson, Forrest Lowe and David Gleason. (Vice-Chair Moll arrived at 7:47 p.m.)

**Councilors Absent:** None

**Others Present:** Donald Gerrish, Town Manager; Melissa Smith, Deputy Town Clerk; Cheryl Litchfield, Deputy Tax Collector; Nella Beatty, Assistant Tax Collector; citizens, members of the press and TV Video Crew.

**Correspondence:** None

**Minutes of Meetings:**

Councilor Wilson moved, Councilor Feldman seconded, to approve the minutes of February 1, 1999 as distributed. The motion carried with five yeas. Councilors Swanson, Dotts, and Gleason abstained.

**Manager's Report:**

Manager Gerrish updated the Council on the junkyard issue with Mr. Ernest Jewett. The Town has worked out an agreement with Mr. Darling, who has been given authority by Mr. Jewett to negotiate with the Town on his behalf. The Town of Brunswick has waived the fines that were awarded by the court in lieu of being paid our legal fees of \$15,000. The Town has an agreement with Mr. Darling and Mr. Jewett to take care of this. Mr. Gerrish stated that the Town would be able to resolve this issue in the next couple of years.

Manager Gerrish stated that at the last Council Meeting he was asked to work with the Director of the Pejepscot Historical Society regarding the Boston Post Cane. It was decided that the Historical Society will keep the cane and preserve it for the history of Brunswick. An arrangement is being worked out to show the cane during certain occasions.

Manager Gerrish received a letter from the Commissioner of the Department of Marine Resources stating that the Commissioner has decided to approve the leasing out of aquaculture leases for the upper New Meadows Lake. The Town and West Bath have opposed these and written a letter to the Commissioner stating the reasons why this would not be a good idea, but both leases have been approved by the Commissioner. The Town has 30 days to appeal this decision. The Town will be reviewing this with the Town Attorney. Manager Gerrish stated that he would include the Council in the discussions.

**Adjustments to the Agenda:** None

- 22. The Town Council will hear public comments on the following request for a new Victualer's license for:**

Amato's Sandwich Shop d/b/a  
Amato's Sandwich Shop  
148 Pleasant Street

Dominic Reali

The public hearing opened at 7:44 p.m. The public hearing closed at 7:44 p.m.

**Councilor Gleason moved, Councilor Dotts seconded, to approve the new Victualer's license for Amato's Sandwich Shop. The motion carried with eight yeas.**

- 23. The Town Council will hear public comments on the proposed amendments to Section 12-46 Compensatory Time in the Personnel Ordinance to include middle managers.**

Manager Gerrish proposed that middle managers be added to the Personnel Ordinance because they are not covered under union contracts. They are exempt employees and are not paid overtime for the extra hours they work. The Department Heads are provided with 40 hours compensatory time per fiscal year for various meetings. These middle managers also attend these meetings and are not compensated.

The public hearing opened at 7:45 p.m. The public hearing closed at 7:45 p.m.

**Councilor Lowe moved, Councilor Feldman seconded, to approve the amendments to the Personnel Ordinance, Section 12-46 Compensatory Time, by adding part (c) as advertised. The motion carried with eight yeas.**

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

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

Councilor Feldman nominated Michael L. Austin.

Councilor Gleason nominated Jane Frances Millett.

Councilor Swanson nominated Mary Ellen Morgan Wazlaw.

**Councilor Wilson moved, Councilor Lowe seconded, that nominations cease. The motion carried with nine yeas.**

Michael L. Austin received nine votes. Councilors Feldman, Swanson, Galloupe, Dotts, Wilson, Moll, Lowe, Gleason and McCausland.

Jane Frances Millett received six votes. Councilors Feldman, Dotts, Wilson, Moll, Gleason and McCausland.

**Michael Austin was re-appointed and Jane Frances Millett was appointed to the Personnel Board as full members with terms expiring 01/12/2002.**

**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**

Councilor Wilson nominated Samantha Jones for a full membership with a 3 year term expiring 02/23/2002.

Councilor Swanson nominated Rita C. Worthing for a full membership with a 3 year term expiring 02/23/2002. She was an associate member.

**Councilor Feldman moved, Councilor Galloupe seconded, that nominations cease. The motion carried with nine yeas.**

Samantha Jones received nine votes. Councilors Feldman, Swanson, Galloupe, Dotts, Wilson, Moll, Lowe, Gleason and McCausland.

Rita C. Worthing received six votes. Councilors Feldman, Swanson, Galloupe, Dotts, Moll, Lowe.

**Samantha Jones and Rita C. Worthing were re-appointed to the Planning Board as full-members with three year terms expiring 02/23/2002.**

- 24.     The Town Council will consider setting a public hearing for March 1, 1999 to amend the Streets, Sidewalks, and Other Public Places Ordinance relative to adding the Androscoggin River Bicycle Path, prohibiting horses on the Bicycle Path, to clarify the section on hunting and firearms, and Section number changes.**

Manager Gerrish stated the three major changes. First to add the bike path under the Recreation Department. Second to prohibit horses from the bike path. The third issue was a clarification in the section on hunting and firearms in a park. Manager Gerrish requested a public hearing be set for March 1, 1999.

**Councilor Wilson moved, Councilor Dotts seconded, to schedule a public hearing for March 1, 1999 to amend the Streets, Sidewalks, and Other Public Places Ordinance relative to adding the Androscoggin River Bicycle Path, prohibiting horses on the Bicycle Path, to clarify the section on hunting and firearms, and Section number changes. The motion carried with nine yeas.**

- 25.     The Town Council, if necessary, will consider waiver of tax lien foreclosures.**

Manager Gerrish stated there is a provision in State Law that allows the Council to make a decision on any property that the Town does not want to foreclose on. He was asking not to foreclose on three properties. The reason for not foreclosing is that it would cost more to take the properties than if the Town did not. The lien does not foreclose, therefore; the taxes are still due to the Town of Brunswick. These properties were modular or mobile homes and were very old. The Town had a bad experience about four years ago, when they acquired a property. It cost the Town almost four times as much to get rid of the property.

**Councilor Gleason moved, Councilor Feldman seconded, to authorize the waiver of any tax lien foreclosures on any property, not in the best interest of the Town, to own. The motion carried with nine yeas.**

26. The Town Council will consider confirming the appointments of Greg Quinlan (Casco Cable TV representative); Linda Oliver (Curtis Library representative); and Janet Connors (School Department representative) to the Cable TV Committee.

**Councilor Wilson moved, Councilor Dotts seconded, to confirm the appointments of Greg Quinlan, Linda Oliver and Janet Connors to the Cable TV Committee. The motion carried with nine yeas.**

27. The Town Council will consider adopting their 1999 Goals and Objectives.

Chair McCausland asked Manager Gerrish to read the six proposed 1999 Council Goals and Objectives. (Attachment to permanent minutes)

After much discussion, it was agreed to amend items 4 and 6 to the following:

4. Discuss a policy to establish a fund for acquisition of recreation and environmentally significant property and develop an open space ordinance including water access.
6. Initiate discussions with the Sewer District to encourage sewer to dense neighborhoods to relieve nitrogen overloading in waterways.

**Councilor Moll moved, Councilor Feldman seconded, to approve the 1999 Goals and Objectives as amended. The motion carried with nine yeas.**

28. The Town Council will consider approving the request of Downeast Show Promotions to hang a banner over Maine Street from March 1-14, 1999 to promote the 6<sup>th</sup> annual Mid Maine Home Show to be held at the Brunswick High School.

**Councilor Wilson moved, Councilor Lowe seconded, to approve the request of Downeast Show Promotions to hang a banner over Maine Street from March 1-14, 1999 to promote the 6<sup>th</sup> annual Mid Maine Home Show to be held at the Brunswick High School. The motion carried with nine yeas.**

The meeting adjourned at 8:37 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  
02/23/99

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Date of Approval

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Council Chair