

**-- Approved --**  
**BRUNSWICK TOWN COUNCIL MINUTES**  
**December 4, 2006**  
**7:00 p.m.**  
**Municipal Meeting Facility**

**7:00 P.M.** Chair King called the meeting to order and called for the Pledge of Allegiance.

**Councilors Present:** Chair Joanne T. King, W. David Watson, Jacqueline A. Sartoris, Hallie Daughtry, Jeffrey A. Schneider, Gerald E. Favreau, Ryan E. Ewing, Newell A. Augur, and Forrest Lowe.

**Councilors Absent:** None.

**Town Staff Present:** Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Tom Farrell, Parks and Recreation Director; Dan Devereaux, Marine Resources Warden; Mat Eddy, Director of Economic Development; Jim Fortune, Town Planner; and TV video crew.

**Public Comment:** None.

**Correspondence:**

Chair King said that Alison Coffin sent the Council a letter regarding the pay-per-bag system, inquiring about when the public will receive its education on it.

*(A copy of Ms. Coffin's letter will be attached to the official minutes.)*

Councilor Ewing said the education program and its budget were approved at the last Council meeting. The educational piece will be taking place this month and in early January. There will be information mailed to residents, with coupons provided for free bags.

Manager Gerrish added he had a meeting this afternoon about the notice and coupon. The process will be starting almost immediately, with information on cable TV, mailed to homes, and in the newspaper. The program will be starting the third week of January 2007. The town met with Shaws and Hannaford, both of whom will take the coupons and provide the free bags. The schools will be a big part of the educational process.

**Manager's Report:**

**a) Financial Update**

Manager Gerrish gave the financial update. The town is five months through the fiscal year. For the most part things are in line. An area of concern is the fact that excise tax revenue is \$30,000 less this November than last November. For the first four months excise tax had been ahead so now it is only a little ahead. State revenue sharing is on line for the budgeted \$2 million amount. Others areas are in good shape.

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### **b) Council Committee Updates**

Councilor Lowe reported on the Maine Street Station Committee. They are working on a joint development agreement for the project and work continues on that.

Councilor Daughtry reported on the Elementary School Committee. They will hold a public forum on December 6, 2006, with the new school schedule outlined, along with public comments taken.

Councilor Sartoris reported on the Brunswick Teen Center. They have hired a part-time director for twenty hours a week and will be expanding their hours in January.

Councilor Watson reported on the Old High School Committee. They will be making a presentation to the Council on December 18.

### **c) Council Workshops**

Manager Gerrish said the Council will be holding a workshop on December 11, 2006, on the Comprehensive Plan Update.

### **Adjustments to Agenda:**

To Table Item 198 until a future meeting – possibly on December 11, 2006, at a Special Meeting.

#### **194. The Town Council will hear public comments on the request to consider an amendment to the Town's definition of impervious area in Section 111 of the Zoning Ordinance to include decks, and will take any appropriate action.**

Jim Fortune, Town Planner, said the purpose of this amendment is to put the Planning Board's policy into the ordinance.

Chair King opened the public hearing; hearing no comments, she closed the public hearing.

Mr. Fortune said, responding to Councilor Augur's question asking about arguments against the proposal, one concern expressed by Board members is that counting decks as impervious area might be stepping backwards with respect to the proposed Comprehensive Plan Update's goal of allowing higher density development in the growth zone.

Councilor Sartoris said the best way to address that concern is to look at the amount of impervious area in the in-town area. That would be environmentally sound and allow for growth in the growth area.

**Councilor Sartoris moved, Councilor Daughtry seconded, to adopt amendments to the town's definition of impervious area in Section 111 of the Zoning ordinance to include decks. The motion carried with nine (9) yeas.**

*(A copy of the adopted language will be attached to the official minutes.)*

**180. (Tabled) The Town Council will discuss extending the deadline on its option to buy back Lot 6 in the Industrial Park for another six months, and will take any appropriate action.**

Manager Gerrish said Lot 6 was bought by Thibeault's Energy and they had two years to build on that lot. After that two-year period passed, the Council granted an extension for a year. They are now asking for a six-month extension; Mr. Eddy provided a memo outlining proposed conditions if the extension happens.

Chair King said she approves what has been outlined and asked if Mr. Thibeault was agreeable with the conditions. Mr. Eddy responded yes.

**Councilor Sartoris moved, Councilor Favreau seconded, to extend the deadline on its option to buy back Lot 6 in the Industrial Park for another six months with the conditions outlined in Mr. Eddy's memo. The motion carried with nine (9) yeas.**

*(A copy of the conditions will be attached to the official minutes.)*

**187. The Town Council will consider a Memorandum of Understanding with the State of Maine Inland Fisheries and Wildlife and the Town regarding the Mere Point Boat Launch, and will take any appropriate action.**

**Steve Walker**, Inland Fisheries and Wildlife, explained the changes that were made at the Council's request. The sections changed were section #10 regarding the consideration of user fees and sections #18 and #19 to include a "good faith effort" being made prior to ending the agreement.

Chair King asked for public comments, but no one came forward to comment.

Manager Gerrish said, responding to Councilor Ewing's question, the budget is just a reference, and is not included as part of the agreement.

**Councilor Sartoris moved, Councilor Watson seconded, to approve the Memorandum of Understanding with the State of Maine Inland Fisheries and Wildlife and the Town of Brunswick regarding the Mere Point Boat Launch. The motion carried with nine (9) yeas.**

*(A copy of the Memorandum of Understanding will be attached to the official minutes.)*

Councilor Lowe thanked those who worked over the last five years to make this project happen. This is a very memorable time in Brunswick since it is providing public access

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to water. He especially thanked Councilor Sartoris, Steve Walker, State Representative Stan Gerzofsky, and the many others who helped in this process.

**195. The Town Council will consider an emergency appropriation of up to \$45,000 from unappropriated available general fund revenues for the purpose of acquiring the property adjacent to Edwards Field, and will take any appropriate action.**

Manager Gerrish said this parcel abuts Edwards Field and is land locked. Habitat for Humanity purchased the property in hopes of building a home there. The group tried to work with the town to get access, but it was decided if there was a better location for the home, the town could purchase the abutting land locked property. Another location was found that will meet Habitat's needs, and, as part of this, the town will purchase the lot abutting Edwards Field for \$45,000 so it can expand that facility. This is positive for the town and for Habitat for Humanity.

Chair King thanked Manager Gerrish for his work on this issue and said the resolution helps both sides.

Councilor Watson said there is an easement there that could have been a liability issue for the town if someone had built on it so this is a better solution.

Councilor Sartoris thanked Charles Wallace, who did a very nice thing to sell a lot to Habitat so they could build a home for a family.

**Councilor Lowe moved, Councilor Augur seconded, to adopt the Resolution authorizing the Purchase of Real Property and an Emergency Appropriation of up to \$45,000 from unappropriated available general fund revenues for the purpose of acquiring property adjacent to Edwards Field. The motion carried with nine (9) yeas.**

*(A copy of the Resolution will be attached to the official minutes.)*

**196. The Town Council will discuss the Municipal Investment Trust Fund Contract Amendment, and will take any appropriate action.**

Mat Eddy, Director of Economic Development, said this item is to consider amending the August 17 Municipal Investment Trust Fund Contract with the Department of Economic and Community Development by authorizing the Town Manager to accept an additional \$135,000, bringing the total grant contract to \$369,000. These funds will be used to offset leasehold improvements made by Harbor Technologies to the building that BEDC built for them in 2005. The grant was awarded in 2004 to rehabilitate the NAPA building into town offices, but that was not done so funds were left over.

*(A copy of Mr. Eddy's memo will be attached to the official minutes.)*

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Manager Gerrish said the town is not putting any more money into this; it is a really exciting project to expand Harbor Technologies and the composites programs in this area.

Councilor Sartoris said this is a really nice use of this funding. This is a great example of the work BEDC does. She expressed an interest at an earlier Council meeting about some changes to the structure of the BEDC after concerns arose around elements of the Comprehensive Plan Update discussion. She hopes to bring this issue back to the Council by the end of February.

Chair King said Mr. Eddy has been working to get information out about BEDC, but she agrees there is a need to clear-up some issues.

**Councilor Watson moved, Councilor Schneider seconded, to amend the Municipal Investment Trust Fund Contract with the Department of Economic and Community Development by authorizing the Town Manager to accept an additional \$135,000 to bring the grant total to \$369,000. The motion carried with nine (9) yeas.**

**197. The Town Council will discuss an application to the State of Maine CDBG and EPA for Grant Fees for Maine Street Station, and will take any appropriate action.**

Mr. Eddy explained a number of grant applications that need to be pursued. This is a competitive program, but this year the town thinks it can be competitive since developers are in place, and it has been encouraged to apply. He added there has been a change to his memo; under #2 the Brownfield grant, the town can only apply for \$100,000, instead of the listed \$500,000. At the Council's request, Mr. Eddy provided a definition of the Community Development Block Grant Program (CDBG).

**Councilor Sartoris moved, Councilor Daughtry seconded, to pursue the grant applications as listed in the attached table provided by Mathew Eddy and hold a public hearing for December 18, 2006, on the public infrastructure grant as outlined. The motion carried with nine (9) yeas.**

*(A copy of Mr. Eddy's memo will be attached to the official minutes.)*

**198. The Town Council will receive an update on the Times Record Building, and will take any appropriate action.**

This item was tabled.

**199. The Town Council will consider setting a public hearing to amend Chapter 15, Section 15-74 of the Municipal Code of Ordinance to remove four parking spaces in front of the Joshua Chamberlain House on Maine Street, and will take any appropriate action.**

Councilor Ewing said this item has to do with removing four parking spaces in front of the Joshua Chamberlain House on Maine Street. This issue came up a while ago when he

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had been contacted by those living on Potter Street about their safety concerns. Since then, he has talked to various people about this issue, including the Pejepscot Historical Society and the Board of the Brunswick Downtown Association. There is a traffic study being done and the development of Maine Street Station will have an effect on parking, but that is a while off.

**Barbara Desmarais**, Treasurer of Pejepscot Historical Society, but speaking for herself, said she hopes the Council does this as part of traffic studies and includes this information when considering removing the four spaces.

Councilor Watson said there are safety issues that are not reflected in the packet's picture. He believed the safety issues could be resolved by removing the first two spots, instead of all four. At this point, with the traffic studies in the future, they should address the two spots.

Councilor Favreau said he travels this way daily, and knows there have been near misses at this site. He believes public safety comes first.

Chair King said safety issues come first, but agrees there is a lot going on. The McKeen Street issues also need to be looked at. One possibility would be to make Potter Street one-way and place a light at Mckeen Street, but a lot has be talked about prior to that big of a decision.

Manager Gerrish said in the past there had been a study of traffic coming out of Page Street, which ended in some changes being made. From staff's perspective, one space would help and two would take care of the safety issue. There will be changes in one and a half to two years due to the changes coming to the area in the future.

**Councilor Daughtry moved, Councilor Schneider seconded, to set a public hearing for December 18, 2006, to amend Chapter 15, Section 15-74 of the Municipal Code of Ordinance to remove four parking spaces in front of the Joshua Chamberlain House on Maine Street. The motion carried with nine (9) yeas.**

**200. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action.**

**Councilor Augur nominated and moved, Councilor Watson seconded, to appoint the following people to vacancies on town boards and committees:**

**Brunswick Teen Center Board: a three (3) year appointment for Margie McEwen, ending 2/7/10.**

**Recycling Committee: three (3) year appointments for Sean Boyles and Michael Howe, ending 1/1/10.**

**Village Review Board: the remainder of a three (3) year appointment for an Alternate position for Julie Poole, ending 10/20/07.**

**Planning Board: three (3) year appointments for Dana Totman and E. Benet Pols, ending 2/23/10.**

**Personnel Board: a three (3) year appointment for Bill Locke, ending 1/12/10.**

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**The motion carried with nine (9) yeas.**

**CONSENT AGENDA:**

**(a) GE Capital Information Technology Solutions Abatement**

**Councilor Ewing moved, Councilor Sartoris seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.**

**Councilor Ewing moved, Councilor Daughtry seconded, to adjourn the meeting. The motion carried with nine (9) yeas.**

The meeting adjourned at 8:14 p.m.

**PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.**

*Frances M. Smith  
Town Clerk  
December 11, 2006*

December 18, 2006

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*Date of Approval*

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*Council Chair*