

**-- APPROVED --**  
**BRUNSWICK TOWN COUNCIL**  
**MINUTES**  
**May 7, 2007**  
**7:00 P.M.**  
**Municipal Meeting Facility**

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

**Councilors Present:** Chair Joanne T. King, Jacqueline A. Sartoris, Hallie Daughtry, Jeffrey A. Schneider, Gerald E. Favreau, Ryan E. Ewing, Newell A. Augur, and David C. Webb. Councilor W. David Watson arrived at 8:15 p.m.

**Councilors Absent:** None.

**Town Staff Present:** Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Jeff Jordan, Deputy Director of LRA; John Foster, Public Works Director; and the TV video crew.

**Public Comment:**

**Julie Poole**, 64 Moody Road, said she wanted to make sure the issue of the boards' policy was addressed at the next meeting.

**Correspondence:**

Councilor Sartoris said the work of the Elementary School Committee has been important and at times controversial, but she has received several e-mails regarding the process. At some point the Council has to vote on this and she would like to hear back on the public process in the near future.

**Manager's Report:**

**a) Literary Art Walk Grant**

**Peter Simmons**, 39 Columbia Avenue, said this is a request to apply for a \$2,000 grant to assist with costs relative to the Brunswick Literary Art Walk.

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

**Councilor Ewing moved, Councilor Favreau seconded, to apply for the Literary Art Walk Grant. The motion carried with eight (8) yeas.**

**b) Gateway 1 Land Use/Transportation Project**

Manager Gerrish said Paul Godfrey from MDOT will update the Council on the Gateway 1 land use/transportation planning project, which was the subject of a Memorandum of

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Understanding among Brunswick, MDOT, Federal Highway Administration, and the State Planning Office, in 2005.

**Paul Godfrey**, Transportation Engineer on behalf of the Department of Transportation, recapped the project. Gateway 1 is long-term project that began three years ago, with the goal to improve transportation and quality of life along this corridor. Twenty-one communities are involved and the hope is to better align them. There is a committee that meets monthly. Phase 3 begins this fall. They are looking at what the future holds and developing a plan to accommodate either growth or a downturn in the economy.

*(A copy of information on the project will be attached to the official minutes.)*

### **c) Update on Frank Wood Bridge**

John Foster, Public Works Director, said the bridge will be closing on May 14. They hope the closure will be for less than two weeks, but have planned for up to that amount of time. The black bridge will be open for traffic from Topsham to Brunswick only. The footbridge is for pedestrians.

Manager Gerrish said they have guaranteed even if the work is not done, the bridge will be open for the use for the Memorial Day Parade.

### **d) Update of Mere Point Boat Launch**

Councilor Sartoris said there is an access road being cleared for the boat launch. She notified abutters to let them know what was happening. It has been several years' effort by the Council and the public to get this project completed. The soft opening is in September. This will let the town have a chance to see how it will run when there is less boat traffic. There have been regular meetings with town staff and the State Department of Inland Fish and Wildlife. There is a good relationship in creating this site. She is very excited about having this project done. Once the boat launch is open, the Simpson's Point launch will be closed to trailer boats.

### **e) Council Committee Updates**

Councilor Webb said the Economic Development Feasibility Study Committee met and agreed on a proposed RFQ. They have set-up a realistic timeframe. June 19 is the deadline to finalize the agreement with the consultant. There will be opportunities for public input. He also said the BEDC met on May 2 at the old Times Record building to see the composite training center, and they were very impressed; there will be an open house on June 20.

Councilor Ewing said the revised Recycling Committee will begin the process of what can be done to be a COOL community. They will be looking toward the next budget session if budget items are needed. The Maine Street Station Committee met and had an update from the developer. They are hoping to have their meetings televised. The

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Committee is encouraging people to stay informed and do so by contacting the Economic Development Department.

Councilor Sartoris said the Teen Center is now open 4 days a week (Monday, Tuesday, Wednesday, and Thursday) from after school until 6:00 p.m. Bowdoin College is looking to do some mentoring. On June 3 the center will hold the Second Annual Lazy Day Olympics, which includes dodge ball, a staring contest, and rock/paper/scissors.

Councilor Favreau gave an update on the Elementary School Building Committee. The earliest time for site selection is June 30. Councilor Daughtry said there will be a meeting on July 5.

**f) Financial Updates**

Manager Gerrish updated the Council on financial matters. The town is in good shape as far as the budget is concerned. On the revenue side, excise tax is below last year. State revenue sharing should come close to the budgeted \$2 million dollars. On the expenditure side, overtime for the Fire Department is over budget. The winter works budget had a \$90,000 savings and health insurance was \$40,000 below the budgeted amount.

- 65 . The Town Council will hear public comments on the following Full-Time Spirituous, Vinous & Malt Licenses, and will take any appropriate action.**

**Full-Time Spirituous, Vinous & Malt**  
**Aaron Park/Paul Hollingsworth, LLC**  
**D/B/A Henry & Marty**  
**61 Maine Street**

**Aaron Park**

Manager Gerrish said this item is for public comment on the request for a Full-Time Spirituous Vinous and Malt License for Henry and Marty Restaurant on Maine Street.

**Aaron Park**, new owner, said they would be continuing with the same type of foods.

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

**Councilor Ewing moved, Councilor Daughtry seconded, to approve a Full-Time Spirituous, Vinous & Malt License for Aaron Park and Paul Hollingsworth, LLC D/B/A/ Henry & Marty Restaurant on Maine Street. The motion carried with eight (8) yeas.**

- 66. The Town Council will hold a public hearing to consider an amendment to Brunswick Community Health and Land Care Ordinance to exempt the treatment of Coffin Pond from the restriction set by this ordinance, and will take any appropriate action.**

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Manager Gerrish said the change was part of the discussion when dealing with the legal issue. Both sides wanted to exempt Coffin Pond from this ordinance. It was agreed it was not the intent of this ordinance to prevent chlorine from being used in the pond. This item is for public comments on the amendment to the Brunswick Community Health and Land Care Ordinance to exempt the treatment of Coffin Pond from the restriction set by this ordinance.

Chair King opened the public hearing.

**Pem Schaeffer** asked about chlorine used in public waters.

Councilor Sartoris responded the chlorine in drinking water is at a lower level than needs to be in used in Coffin Pond.

Chair King closed the public hearing.

**Councilor Sartoris moved, Councilor Schneider seconded, to adopt the amendment to the Brunswick Community Health and Land Care Ordinance to exempt the treatment of Coffin Pond from the restriction set by this ordinance. The motion carried with eight (8) yeas.**

**67. The Town Council will review the request for Base property from the School Department, and will take any appropriate action.**

Jim Ashe, Superintendent of Schools, made a presentation on the School Department's request for Base property. The big request is for a location for the bus garage.

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

Councilor Augur said he wanted to know what the total number of miles of travel will be, whether it will be more or less than now, and how much. Mr. Ashe responded he did not have the numbers prepared for tonight, but could get them for the future.

Councilor Sartoris said if this property is asked for, there are two different issues depending on school sites. Currently, how it is done is very efficient travel wise. The Council should support this tonight and note they want more data.

Councilor Ewing asked what will happen to the current bus garage and how this fits with the Recreation Department's request. Mr. Ashe responded it could be used for smaller items that are used daily and provide additional parking lot area or an expanded playground. The Recreation Department request is asking for something different than they are asking for, but they could look to see if the request could work together.

Manager Gerrish said the Parks Department needs smaller bays and they have looked at both and felt two requests was the better way to go.

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Councilor Favreau said moving will help with air quality in the neighborhood due to the start-up of all the buses.

**Councilor Sartoris moved, Councilor Daughtry seconded, to authorize the Town of Brunswick to make application for property in the form of a Resolution with the Department of Education under the LRA State and Local Screening process for the School Department, as attached. The motion carried with eight (8) yeas.**

*(A copy of the School Department's request and resolution will be attached to the official minutes.)*

**68. The Town Council will hear public comments on the proposed "2007/2008" Budget, and will take any appropriate action.**

Manager Gerrish said the budget is available at town hall, the library, the school department, and on the town website. The proposed budget represents a tax increase of 5.24%, which includes both the school and town request. This is a chance for public input. The Council will be meeting this Saturday from 9:00 a.m. to 3:00 p.m. on the municipal budget. Next Monday the Council will meet with the School Board, along with other workshops. On May 31 there will be the formal public hearing on the budget and on June 11 the Council will adopt the budget.

Chair King opened the floor to public comments.

**Pem Schaeffer**, Crestview Lane, spoke on his concerns about the proposed budget.

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

**Fred Blanchard**, 638 Harpswell Road, said there has been no improvement in school test results over the last ten years. The high school has been cited for no student left behind issues. Over the last seven years, the teachers have averaged between 6% and 9% increases each year. Most of the increase in the budget is for school teachers pay and benefits. The Council needs to stop the union and School Board from these increases.

Councilor Watson arrived at the Council meeting at 8:15 p.m.

**69. The Town Council will consider establishing a Land for Brunswick's Future Board, and will take any appropriate action.**

Councilor Sartoris explained the committee's proposal, which has been reviewed by the staff. This is part of the advisory referendum passed last November.

Chair King added that by creating this board at this time does not mean there is any financing this year for this item. Creating this board will continue the process.

Councilor Webb asked what the additional cost would be and wanted an appropriation.

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Manager Gerrish said the funding will be in the second or third year of the CIP. The committee would put together recommendations for these funds, develop a plan, and look at property out there. The Town would put into the fund and look to have funding from other places.

Chair King said, as a CIP member, the majority of the committee did not include this in the CIP, but with the referendum vote, future ones will be more supportive of it.

Councilor Ewing said having money in the bank is important as getting other sources of financing. There are a lot of good projects that may not fit the traditional projects like access to Davis Park. The town can levy more resources by having this pool.

The Council made some changes to the committee's charge.

**Councilor Daughtry moved, Councilor Webb seconded, to establish a Land for Brunswick's Future Board. The motion carried with nine (9) yeas.**

*(A copy of the approved Board charge will be attached to the official minutes.)*

**Removed from Consent Agenda – Davis Fund Request**

**Millie Stewart**, Chair of the Davis Fund Committee, said they had \$10,000 this year. She then read the list of organizations they would like to fund.

Councilor Augur and Councilor Ewing said they were members of the Trinidad Sister City Board, but were not involved with this request for funds.

**Councilor Sartoris moved, Councilor Daughtry seconded, to approve 2007-08 recommendations of the Davis Fund Committee. The motion carried with nine (9) yeas.**

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

**70. The Town Council will consider supporting the Androscoggin River Alliance in a hearing before the Board of Environmental Protection, and will take any appropriate action.**

Councilor Sartoris said this group has asked her to bring this item to the Council so they can consider supporting the Androscoggin River Alliance in a hearing before the Board of Environmental Protection.

**Dewitt John**, member of the board of the Androscoggin River Alliance, said the organization is three years old and is working to clean up the river. It would be helpful if the Council would recognize that the river is important to the community. Their agenda is to work on permitting issues.

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Councilor Sartoris clarified that the resolution is asking the Council to support the clean up of the river to standards. It is a general statement to work to continue to clean up the river.

Chair King supports cleaning up the river.

Councilor Ewing said he works for the Natural Resources Council, which is part of this proceeding. He has no financial gain and procedures are open. He has attended to tape record meetings and this was going on before his employment there.

Chair King, with no objection, allowed Councilor Ewing to vote on the item.

**Councilor Schneider moved, Councilor Daughtry seconded, to sign the resolution supporting the efforts to restore the Androscoggin River. The motion carried with nine (9) yeas.**

**71. The Town Council will consider a request for Sellers of Prepared Food on the Brunswick Mall, and will take any appropriate action.**

**Christine Xenos-Haviland**, owner, said they will be preparing healthy food, made with all organic Maine products.

**Councilor Ewing moved, Councilor Favreau seconded, to approve the application for seller of prepared food on the Brunswick Mall for Xenos – the Greek Kitchen. The motion carried with nine (9) yeas.**

**72. The Town Council will consider requests for Sellers of Prepared Food on Public Ways, along with their requests to waive the \$500.00 fee for outdoor seating, and will take any appropriate action.**

Manager Gerrish said this item is to consider approval for a Sellers of Prepared Food on Public a Way license for 111 Maine Street and 206 Maine Street, as well as to waive the \$500.00 fee for each. The Council approved these last year but they need to be approved on an annual basis.

Councilor Sartoris said she will not support the waiving of the fees this year. They are using a public right-of-way and others pay to be there. She did add that she was supportive of this activity.

**Councilor Sartoris moved, Councilor Webb seconded, to approve the request from 206 Maine Street for a license for Sellers of Prepared Food on Public Ways and to waive \$250 of the fee for the license. The motion carried with eight (8) yeas. Councilor Schneider was opposed.**

**Councilor Sartoris moved, Councilor Webb seconded, to approved the request from 111 Maine Street for a license for Sellers of Prepared Food on Public Ways and not to waive the \$500.00 license fee for outdoor seating for 111 Maine Street. The motion carried with eight (8) yeas. Councilor Schneider was opposed.**

73. The Town Council will consider a request from the BLRA to enter into an agreement with the State Planning Office to accept and expend an award of up to \$12,000 from the “2007” Implementation Grant program, and will take any appropriate action.

Jeff Jordan, Deputy Director of BLRA, said this is to consider a request from the BLRA to enter into an agreement with the State Planning Office to accept and expend an award of up to \$12,000 from the “2007” Implementation Grant Program.

*(A copy of a memo from the BLRA will be attached to the official minutes.)*

**Councilor Sartoris moved, Councilor Watson seconded, to allow the BLRA to enter into an agreement with the State Planning Office to make application, and, if successful, to authorize the expenditure of the \$15,000 from the Regional Challenge Grant program. The motion carried with nine (9) yeas.**

74. The Town Council will consider a request from the BLRA to accept and expend an award of up to \$200,000 from the “2007” CDBG Special Project Matching Funds program, and will take any appropriate action.

Mr. Jordan said the BLRA made it through the first round and now are in the second round of this grant process. They are increasing their request to \$125,000 from \$75,000. This will allow them the flexibility to get the maximum award.

*(A copy of a memo from the BLRA will be attached to the official minutes.)*

**Councilor Sartoris moved, Councilor Watson seconded, to allow the BLRA to accept and expend an award of up to \$200,000 from the “2007” CDBG Special Project Matching Funds program. The motion carried with nine (9) yeas.**

75. The Town Council will consider consolidation of voter districts for the special election in June, and will take any appropriate action.

Councilor Augur said the Legislature adopted Legislation on an emergency basis that allows communities to consolidate voting districts for a special election. He would like the Council to consider consolidation for the June 12 special state referendum. The one location would be at the Municipal Meeting Facility at 44 McKeen Street.

Councilor Sartoris said her main concern is not cost savings but that she does not want this to be a precedent for future elections.

Councilor Augur echoed this concern, but felt there could be a savings in this election.

**Councilor Webb moved, Councilor Schneider seconded, to consolidate the voting polls to one location at the Municipal Meeting Facility at 44 McKeen Street for the June 12, 2007 Special State Referendum Election. The motion carried with nine (9) yeas.**

76. The Town Council will consider a policy for appointments to the Town of Brunswick Boards, Commissions and Committees, and will take any appropriate action.

**Councilor Schneider moved, Councilor Favreau seconded, to table this item. The motion carried with nine (9) yeas.**

**CONSENT AGENDA:**

- a) Approve Minutes of February 26, March 5, March 19, and April 2, 2007
- b) Appoint Wardens and Deputy Wardens for June 12, 2007
- c) Set extended Registrar hours for June 12, 2007
- d) Approval of disposition of funds for Davis Fund

- a) This item is to approve the Minutes of February 26, March 5, March 19 and April 2, 2007.
- b) This item is to appoint Warden (Fran Smith) and Deputy Warden (Elin Gould) for June 12, 2007, Election.
- c) This is to set the extended registrar hours for the June 12, 2007 Election.
- d) This item is to approve the disposition of funds for the Davis Fund.

**Councilor Daughtry moved, Councilor Schneider seconded, to approve the consent agenda. The motion carried with nine (9) yeas.**

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

The meeting adjourned at 10:00 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  
July 20, 2007*

September 4, 2007

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*Date of Approval*

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*Council Chair*