

**--Approved --**  
**BRUNSWICK TOWN COUNCIL MINUTES**  
**April 22, 2003**  
**7:30 p.m.**  
**Municipal Meeting Facility**

**7:00 p.m. EXECUTIVE SESSION: Disposition of Property**

**Councilor Galloupe moved, Councilor Rice seconded, to go into executive session to discuss disposition of property. The motion carried with six (6) yeas. Councilor McCausland arrived after the vote.**

**7:30 P.M.** Chair Priest called the meeting to order and asked for the Pledge to the Flag.

**Councilors Present:** Chair Charles R. Priest, W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Nancy E. Randolph, and Stephen H. McCausland.

**Councilors Absent:** Councilor Forrest Lowe.

**Others Present:** Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Jerry Hinton, Police Chief; Gary Howard, Fire Chief; Clark Labbe, Deputy Fire Chief; Michael Robitaille, Deputy Fire Chief; Thomas Farrell, Parks and Recreation Director; Richard Desjardins, Police Commander; several citizens, members of the press, and TV video crew.

**Minutes of Previous Meetings: March 31, 2003 and April 7, 2003**

Hearing no objection from the Council, Chair Priest declared the minutes of March 31, 2003, accepted with additional language of "(Bowdoin College site)" added on page 2 under Mr. Weed's comments on the Maine Street site.

Hearing no objection from the Council, Chair Priest declared the minutes of April 7, 2003, accepted as written.

**Manager's Report:**

**1) Update on Regionalization Meeting**

Manager Gerrish said Chairman Priest and he attended a meeting in Bath in April with representatives from Bath, West Bath, Woolwich and Richmond. Topsham was unable to make it, but will be present for any future meeting.

**2) Update on Budget Meeting Schedule**

Manager Gerrish discussed having workshops on Saturdays, May 10 (on the CIP) and May 17 (for the Budget review). They will be televised and will be from 8:30 a.m. to 2:00 p.m. The Council agreed to the dates.

**3) Update on Economic Development Program**

Manager Gerrish said he was advertising to hire a person to oversee the town's economic development. The first task of the person will be to develop the economic development strategy and to estimate the cost of development in Brunswick. The town is also working with the Brunswick Resource Corporation to bring to the Council a new Development Corporation model that was discussed with the Council by the BRC in October. That draft should be ready in May.

**4) (ADDED) Bicycle and Pedestrian Advisory Committee Meeting.**

Councilor Randolph said she and Councilor Galloupe had a meeting with the Bicycle and Pedestrian Advisory Committee regarding the Maine Street area and other concerns. The Committee and two Councilors will be meeting next with the Brunswick Downtown Association.

**Adjustments to Agenda:** None

**58. The Town Council will hear public comments on proposed amendments to the Cable TV Franchise Ordinance and will take any appropriate action.**

Manager Gerrish said this item would make the changes in the Cable TV ordinance as recommended by the Cable TV Negotiating Committee.

Chair Priest opened the public hearing; hearing no comment, he closed the public hearing.

**Councilor McCausland moved, Councilor Sartoris seconded, to approve the proposed amendments to the Cable TV Franchise Ordinance. The motion carried with seven (7) yeas.**

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

**59. The Town Council will receive public input on possible sites and the cost of a proposed central fire/police station and will take any appropriate action.**

Manager Gerrish said this item will allow the Council to hear comments on the proposed Police/Fire Station at two locations (Stanwood Street and Union Street). The cost estimate of a fifty thousand square foot (50,000 sq. ft.) to a fifty three thousand square foot (53,000 sq. ft.) combined facility would be ten million dollars (\$10,000,000) to eleven and a half million dollars (\$11,500,000). The property owners have not agreed to sell the land. The two (2) issues to keep in mind are the location and whether the fire and police should be combined. There is a savings to combining the facilities. Staff will be going to Massachusetts to look at similar facilities. The City of Westbrook is building a combined facility of a cost eight million dollars (\$8,000,000).

*(A copy of the public notice and estimated costs for the Fire/Police Station will be attached to the official minutes.)*

**Town Council Minutes**

**April 22, 2003**

**Page 3**

Chair Priest opened the floor for public comments.

**Harold Emerson**, Chair of Fire Station Building Committee, read a statement, which will be attached. In October 2002, the Committee recommended a site on Pleasant Street and the property on Thomas Point Road for a substation. The Committee would continue to support the Pleasant Street site if there is a fire station only, and if a combined facility, they support the Maine Street Station site.

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

**Michelle Small**, 33 Stanwood Street, read a statement, which spoke against the Stanwood Street site.

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

**Michael Austin**, 57 McKean Street, supported the Maine Street Station site over the Stanwood and Union Street sites.

**Joe Labbe**, President of Brunswick Firefighters union, supported the fire station on Pleasant Street and if a combined facility, the Maine Street Station site. They also support the substation.

**William Donovan**, 82 Farley Road, spoke in support of a substation at Cooks Corner.

**Calvin Taylor**, 210 Bath Road, spoke in favor of a substation in the Cooks Corner area. He felt the town has not done anything for East Brunswick. He discussed the substation being in the Master Plan for Cooks Corner. He spoke against a combine site; instead, a central fire station and a substation in Cooks Corner should be built.

**Resident**, 4 Weymouth Street, expressed concerns about the businesses and residents who live around the Fox Lumber site. Is the town going to relocate these people and businesses?

**Robert Weeks**, member of the Brunswick Fire Call Department, supported the Building Committee's recommendations. He spoke against the Armory Site, which would require the relocation of tennis courts and he pointed out that Stanwood is a narrow street.

Jerry Hinton, Police Chief, said his department and the fire department have discussed combining facilities and feel they can work together. The Maine Street Station site allows them to be close to major businesses and has good egress out.

**Harry Hopcroft**, 21 Potter Street, spoke against both the Armory and the Union Street sites. The streets are too narrow and not built for heavy loads. He supported the Pleasant Street or Maine Street Station locations, and making a station in East Brunswick.

## **Town Council Minutes**

**April 22, 2003**

**Page 4**

**Jane Wilk**, 83 McKeen Street, spoke against the Stanwood site, citing concerns for the safety of residents there. She supported the Committee's recommendation. She liked having the tennis courts and the recreation field at this location.

Gary Howard, Fire Chief, discussed the struggle to find a location and how no perfect location exists. He discussed possible locations. For the fire station only, the Pleasant Street location would be the best, or the Maine Street Station location would be the best for a combined facility. He wants a site in the downtown area.

**Richard Roch**, 109 Jordan Ave, supported the Building Committee's report.

**Peter Brand**, Bunganuc Road, spoke against the combined site. He said that weather concerns, causing things like power interruptions, would make it better to have separate facilities. The site on Stanwood Street makes the best sense for a fire station.

**Rose Poitras**, 32 Stanwood Street, spoke against the Armory site since it would be dangerous for vehicles and pedestrians to have the station there.

Chair Priest closed the floor for public comments. He said this item would be further reviewed at the first meeting in May since Councilor Lowe was not present tonight.

Councilor Randolph said she would be willing to vote tonight.

Councilor Sartoris said this is a big ticket item and she would like to have full Council present for the vote.

Councilor Galloupe said the third site (Maine Street Station) was just put on table tonight and they should wait to vote.

Councilor Randolph said the Maine Street Station can be use for the station and the town can find another site for the train station.

Manager Gerrish said when it was bought, the intent was to have a site for a future train station. If the community wants the train station, they will want it in the downtown area and will need to look at another site if the Maine Street Station site is used for the station.

Councilor Randolph said she can see some benefits of the Maine Street Station site. All sites are residential, but Maine Street has a buffer with Bowdoin College, Hannaford and the bank.

Councilor Sartoris said if the Council talks about the Maine Street Station, they need to talk about the train station location. The Fox Lumber site could possibly be the site for a train station, which also increases traffic in this area. It will be hard to make a decision on a fire/police station until she has information on another train site. She was concerned about the "skinniness" of the Maine Street Station and Fox Lumber sites.

## Town Council Minutes

April 22, 2003

Page 5

Councilor McCausland said Stanwood Street is one of the worst locations to build a station. The Maine Street Station site needs answers. The town bought it to own and to control and the town has done a good job of just that. There are other locations for the train station. The Committee has asked that the Maine Street Station be on the table and the Council should look at it.

Councilor Watson, speaking as a member of the Fire Station Committee, said originally the Maine Street Station site was not on the list of sites being looked at, but later it was added and would have been the primary site if originally on the table. He did not support the other sites due to homes and narrow roads. The Maine Street Station site will have the least impact on the town's residents. There will be savings with infrastructure that will not be needed at this site.

Councilor Rice said he was concerned with displacement of people from homes, businesses from buildings and recreational facilities. He is leaning toward the Maine Street Station site for those reasons, along with the access it has to streets. There will be other sites for the train station. He felt the fire and police should be brought together. East Brunswick also needs a substation. The Maine Street Station site needs to be investigated more.

Chair Priest said the Maine Street Station will have an impact on those on Noble Street and there is the question of where to locate the train station. He needs more information before making a decision.

Councilor Watson said he is not going to be happy or satisfied until there is a substation in the Cook's Corner area.

Chair Priest, as the representative for District 5, agreed with Councilor Watson.

Manager Gerrish said the staff will go back and look at the impact of the Maine Street Station site and concerns regarding that location. They will try to have it by the May 5 Council meeting.

### **60. The Town Council will receive public input on proposed increases to the Ambulance User Fees and will take any appropriate action.**

Chair Priest opened the floor for public comments.

**Peter Brand**, Bunganuc Road, said the increases in ambulance fees will add to the cost of already increasing health insurance.

**Jay Schurman**, Federal Street, supported the increase and said it should be equal to surrounding communities.

Chair Priest closed the floor for public comments.

Manager Gerrish discussed the quality of the paramedics and other staff. There are costs to maintain their professional levels and to run this part of the department. This proposal allows for users to pay their fair share of the cost.

## Town Council Minutes

April 22, 2003

Page 6

Chief Howard discussed the costs of the stipend for paramedics and other staff. The department did a survey with surrounding towns and compared services and fees. What is being proposed is similar to other towns in Southern Maine.

Councilor Sartoris said the proposal, which brings Brunswick where other communities are, makes sense and she will support it.

Councilor Galloupe said the town does not make money off these fees.

Manager Gerrish said the town accepts assignment from Medicare, Medicaid and insurance companies, which is not the full amount of the fee.

**Councilor McCausland moved, Councilor Rice seconded, to approve the revised Ambulance User Fees. The motion carried with seven (7) yeas.**

*(A copy of the Ambulance User Fees is attached to the April 7, 2003 minutes.)*

**61. The Town Council will receive a request from MCBDP for additional funding and will take any appropriate action.**

Manager Gerrish said the attached letter from MidCoast Council for Business Development and Planning (MCBDP) requests that the town assist in paying for the cost of developing an Economic Development District for Brunswick, Sagadahoc and Lincoln Counties. This is a positive program and he endorses it. He would recommend the town make its payment this year, as it will have the resources in this year's budget.

*(A copy of a letter from MidCoast Council for Business Development and Planning will be attached to the official minutes.)*

Councilor Randolph said she supports MCBDP as a method of regionalization, but she questioned how this request for additional funds can be prevented from happening again.

**Jeff Snedden**, Executive Director of MCBDP, explained that once they get the federally-designated Economic Development District, they will be eligible for extra funds. There are also ongoing funds available for the planning process.

Manager Gerrish said Brunswick does pay an annual fee to be a member of MCBDP.

**Mr. Shedden** said, responding to Councilor Sartoris' concerns about federal budget cutting, the federal funding does not appear to be on the cutting block.

Manager Gerrish said responded that the U.S. Senators from Maine said the money will be available.

Manager Gerrish said, responding to Councilor Sartoris' question about paying the funds over three (3) years, the Finance Director feels it is best to take it out of this year's budget.

Councilor Randolph said the full amount would be helpful when applying for grants so that MCBDP does not show a deficit.

**Councilor Randolph moved, Councilor Watson seconded, to approve the request from MCBDP for additional funding from this year's Budget in the amount of seventeen thousand seven hundred eighty three dollars (\$17,783) to share in the cost of developing an Economic Development District. The motion carried with seven (7) yeas.**

**62. The Town Council will consider authorizing the selling of property on Water Street to Family Focus for a day care facility and will take any appropriate action.**

Manager Gerrish said this item would authorize the town to sell property at 44 Water Street to Family Focus for a day care center. The price of the property will be fifty seven thousand five hundred dollars (\$57,500). They will pay the town a minimum of five hundred dollars (\$500) yearly in lieu of taxes. Family Focus will be responsible to take the current structure down and the town will waive only tipping fees. Other requirements are included in a memo that will be attached.

Councilor McCausland opposed the sale since the town staff was against it.

**Councilor Randolph moved, Councilor Watson seconded, to approve the sale of 44 Water Street to Family Focus, for use as a daycare center with the conditions set in the Town Manager's memo dated April 22, 2003. The motion carried with five (5) yeas. Councilors McCausland and Rice were opposed.**

*(A copy of Mr. Gerrish memo dated April 22, 2003, will be attached to the official minutes.)*

**63. The Town Council will consider a request from Maine Natural Gas for a street opening permit on Bath Road, from Sawyer Road to the New Meadows River and will take any appropriate action.**

Manager Gerrish said this item would authorize Maine Natural Gas to place a natural gas line on Bath Road, from Sawyer Road to the New Meadows River. John Foster agrees with this request.

Councilor Rice excused himself due to a conflict of interest since he works with Maine Natural Gas.

Councilor Sartoris asked if there was any other possible work to be done on the street, could it be done at the same time.

Manager Gerrish said that the shoulder is being paved for a bike lane and is a coordinated effort with this request.

**Councilor Sartoris moved, Councilor Randolph seconded, to approve the request from Maine Natural Gas for a street opening permit on Bath Road, from Sawyer Road to the New Meadows River, with the appropriate Dig Safe Training. The motion carried with six (6) yeas. Councilor Rice abstained.**

- 64. The Town Council will discuss a possible Ordinance requiring clean-up of dog residue on the Bike Path and will take any appropriate action.**

Councilor Randolph asked the Council to be thinking about this problem of dog residue on the bike path, and she will bring in a rough draft ordinance.

Councilor Rice said it should be extended to other locations and there should be a town wide ordinance.

Tom Farrell, Parks and Recreation Director, said the parks' crews do daily cleaning up of the bike path. The problem is most noticeable in the spring. On Trails Day, the Humane Society is going to talk about the importance of cleaning up after one's dog. There is also a problem with leash lengths being too long.

Councilor McCausland said he is not certain an ordinance is the answer, but education is important. It is hard to enforce an ordinance on the bike path. There should be plastic bags and trash cans available there for waste disposal.

Councilors Rice and Sartoris said the problem is widespread in other areas and various playing fields.

Councilor Randolph said there needs to be an ordinance and the town should have park rangers there to enforce it for the first few months. Staff time and town money should not have to be used to clean up dog waste.

- 65. The Town Council will discuss amending the Council Rules of Order to change the start time of Council meetings from 7:30 p.m. to 7:00 p.m. and will take any appropriate action.**

**Councilor McCausland moved, Councilor Rice seconded, to amend the Council Rules of Order to start the Town Council meetings at 7:00 p.m. There were four (4) yeas. Councilor Randolph, Galloupe and Sartoris opposed. Upon a ruling from the Chair regarding the Council rules, the motion failed since the majority of the elected body did not vote for it.**

- 66. The Town Council will consider requests to hang banners over Maine Street from the Memorial Day Committee and from the Maine State Music Theater and will take any appropriate action.**

**Councilor McCausland moved, Councilor Watson seconded, to approve the requests from the Memorial Day Committee and the Maine State Music Theater to hang banners over Maine Street. The motion carried with seven (7) yeas.**

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

Councilor Randolph said she did not receive the information in time to review it so she did not want to vote on any nominations tonight. She asked for personal privilege so she did not have to vote.

Chair Priest read the Council rules and in order for Councilor Randolph not to have to vote, the Council would have vote to allow her to do that. All other Councilors opposed allowing Councilor Randolph to be excused from the vote.

Councilor Randolph asked that her protest to voting be part of the record.

Councilor Sartoris asked for clarification if the Capital Improvement Plan Committee will be a standing committee.

Manager Gerrish said yes, in the future it would be important and the timeframe to start the CIP process again will be in Fall 2003.

**Councilor Sartoris moved, Councilor Rice seconded, to nominate Gregory Sargent to serve as a member of the Bicycle and Pedestrian Advisory Committee, and to ask the Chair to cease nominations and to cast one vote for Mr. Sargent. The motion carried with six (6) yeas. Councilor Randolph opposed.**

**Councilor Sartoris moved, Councilor McCausland seconded, to nominate Edmund Benedikt and Robert Morrison to serve as members of the Conservation Commission, and to ask the Chair to cease nominations and to cast one vote for each Mr. Benedikt and Mr. Morrison. The motion carried with seven (7) yeas.**

**Councilor Sartoris moved, Councilor Watson seconded, to nominate Ralph Keyes to serve as a non license holding member of the Marine Resource Committee, and Charles Vaughan to serve as an alternate member of the Marine Resource Committee, and to ask the Chair to cease nominations and to cast one vote each for Mr. Keyes and Mr. Vaughan. The motion carried with seven (7) yeas.**

**Councilor Sartoris moved, Councilor Watson seconded, to nominate Laura Brann to serve as a member of the Recycling Committee, and to ask the Chair to cease nominations and to cast one vote for Ms. Brann. The motion carried with seven (7) yeas.**

**Town Council Minutes**

**April 22, 2003**

**Page 10**

**Councilor Sartoris moved, Councilor Watson seconded, to nominate Jeffrey Peters to serve as an Associate member of the Zoning Board of Appeals, and to ask the Chair to cease nominations and to cast one vote for Mr. Peters. The motion carried with seven (7) yeas.**

**Councilor Sartoris moved, Councilor Watson seconded, to nominate Ashton Johnson to serve as a member of both the Davis Fund Committee and Trust Fund Advisory Committee, and to ask the Chair to cease nominations and to cast one vote for Mr. Johnson. The motion carried with seven (7) yeas.**

Councilor Sartoris nominated Charles Updegraph as the full member of the Personnel Board.

Councilor Watson nominated Dale King as the full member of the Personnel Board.

The Council voted on the two nominations:

- Charles Updegraph – Councilors Sartoris, Galloupe and Priest.
- Dale King – Councilors Rice, Watson, McCausland, and Randolph.

Since neither nominee received 5 votes as required by Council rules, the Council re-voted. In this second vote Dale King received all 7 votes and was appointed to the Personnel Board as a full member.

**Councilor McCausland moved, Councilor Watson seconded, to adjourn the meeting. The motion carried with seven (7) yeas.**

The meeting adjourned at 10:09 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.**

*Frances M. Smith*

*Town Clerk*

*April 28, 2003*

**May 5, 2003**

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*Date of Approval*

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*Council Chair*