

-- APPROVED --
BRUNSWICK TOWN COUNCIL MINUTES
April 3, 2006
6:45 p.m.
Municipal Meeting Facility

6:45 P.M. Chair King called the meeting to order.

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

Town Staff Present: Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Mat Eddy, Economic Development Director; Tom Farrell, Director of Parks and Recreation Department; John Foster, Public Works Director; Clark Labbe, Fire Chief; James Fortune, Town Planner; Steve Balboni, Deputy Director of Parks and Recreation Department; Peter Baecher, Parks and Recreation Facilities Manager; and TV video crew.

EXECUTIVE SESSION: 6:45 P.M. Acquisition of Property per 1 MRSA §405(6)(C)

Councilor Watson moved, Councilor Ansari seconded, to go into executive session pursuant to 1 MRSA §405(6)(C) to discuss acquisition of property. The motion carried with five (5) yeas. Councilor Sartoris, Councilor Daughtry, Councilor Augur, and Councilor Lowe arrived after the vote.

MEETING CONTINUES: 7:00 P.M.

Chair King called for the Pledge of Allegiance.

Public Comment:

Tom Fusco, 66 Board Road, addressed two issues surrounding the proposed ordinance on sludge and pesticides. He did not agree with the town's opinion that Coffin Pond would need to be closed and he requested the question be put back on the June Ballot.

(A copy of Mr. Fusco's letter will be attached to the official minutes.)

Correspondence:

Councilor Ewing said on May 3, 2006, the MidCoast Hunger Prevention Program will be giving a presentation on poverty. There will also be a "No Poverty Week" at Bowdoin with lectures on the subject.

Manager's Report:

(a) Financial Updates

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Manager Gerrish gave this financial update. On the revenue side to date, excise tax is up \$30,000 over last year, state revenue sharing is also ahead. Interest on money invested is above what was expected. The Codes Office took in over \$22,000 in permits during March, which is a high number. All in all the Town Manager is pleased to see where the budget is. On the expenditure side, the winter maintenance budget is going to be under budget by \$80,000 to \$100,000, and the savings will be used for road work resulting from the bad rainstorm. The rest of the accounts are in good shape, and the Manager expects to be under budget for the year.

(b) Council Committee Updates

Manager Gerrish said the Maine Street Station Committee will be having a workshop with the Council next Monday night on their proposal for that site.

Councilor Sartoris said the Comprehensive Plan Committee will be scheduling a public comments workshop, and the next meeting is tentatively scheduled for April 11, 2006. The Committee hopes to bring the plan to the Council in the next couple of months. The biggest issue is the location of the proposed industrial park off Durham Road.

(c) Council Workshop Updates

Manager Gerrish said a workshop has been scheduled for Saturday, May 13, 2006, from 9:00 am to 3:00 pm to review the town departments' budgets.

(d) Firefighter Grant Request

Chief Labbe outlined the request. The request is for approximately \$110,000 to do improvements to the central station, which will reduce costs to the town when an expanded station is done. The town's match is 10%. He clarified that under the Homeland Security Grant program the Fire Assistance grant is totally separate from the rest of that program.

(A copy of Chief Labbe's memo will be attached to the official minutes.)

Councilor Sartoris moved, Councilor Watson seconded, to authorize the Fire Department to apply for an Assistance to Firefighters Grant. The motion carried with nine (9) yeas.

(e) Pay Per Bag – Set Date for Public Comments

Manager Gerrish recommended holding a public comment session on the proposed pay per bag program. He recommended the April 18, 2006, Council meeting, which the Council agreed to.

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(f) (ADDED) Update on Spring Clean-up and Hazardous Waste Pickup

John Foster discussed these two items. The Household Hazardous Waste Collection Day will be on Saturday, April 15, 2006, from 9:00 a.m. to 1:00 p.m. at Bath Public Works. Brunswick Clean-up Week will be from April 18, 2006, to April 29, 2006, at the Graham Road Landfill.

Adjustments to Agenda: None.

54. The Town Council will hear public comments on the following request for an Alcohol license, and take any appropriate action.

Full-Time Vinous & Malt

DSSCAM Corp

D/B/A: Morse's Lobster Shack

18 Bath Road

Dana Cameron

Chair King said this item is for a public hearing and approval of an alcohol license for Morse's Lobster Shack, which is under new ownership.

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

Councilor Sartoris moved, Councilor Ansari seconded, to approve a request for an Alcoholic Beverage license from Morse's Lobster Shack. The motion carried with nine (9) yeas.

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

55. The Town Council will hear public comments on the following requests for Special Amusement licenses, and take any appropriate action.

Special Amusement

Clare's Dolphin Restaurant, Inc

D/B/A: Joshua's Restaurant & Tavern

123 Maine Street

T.J. Siatras

Brunswick Golf Club, Inc.

D/B/A: Brunswick Golf Club

165 River Road

Patrick Badcock

Chair King said this item is for a public hearing and approval of special amusement licenses for Joshua's Restaurant & Tavern and the Brunswick Golf Club. Both are renewals, with Joshua's requesting permission for bands, and Brunswick Golf Club requesting permission for DJ's, bands, and dancing.

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

Councilor Lowe moved, Councilor Augur seconded, to approve requests for Special Amusement licenses from Joshua's Restaurant & Tavern and the Brunswick Golf Club. The motion carried with nine (9) yeas.

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

56. The Town Council will hear a report from the Old High School Proposal Committee, and take any appropriate action.

Chair King said members of the committee are here to make a presentation on their report from the Old High School Project Committee.

Carol O'Donnell, Maine Street, made a presentation on what could be done with the old high school based on what has occurred in other locations with similar buildings. The eight developers and architects the committee spoke with said the high school can be saved, it would take an expense off the tax roles, would be done at no expense to the taxpayers, would receive bids from multiple developers, and should bring it back; it should not be torn down. She is confident this is an opportunity. She would like to see this idea go out to an RFP to see who would be interested and what proposals they would bring to the table.

Margo Knight, Page Street, said other towns have accomplished such a vision of transforming an old building into something nice. She provided additional points on behalf of her committee:

- The town would provide a long-term lease and uses for the building could include housing units, office type space, community uses and multi-generational uses.
- The lease would be only for the building area; the fields and remaining property would still be town used.
- The old high school is well suited for elderly apartments. John Hodge from the Housing Authority stressed the demand for senior housing. Developers added that it could be rent controlled apartments, or condominiums with well landscaped property.
- The ground floor could be used for town or community space.
- The developers indicated it would take very little to bring the gym to code and for community uses like housing, People Plus, Boys and Girls Clubs, or teen center types of groups.
- The gym in the main building could be used as an art center or theatre. The cost to renovate and maintain the building could come from the developers.
- The town would not lose ownership of the property, but would provide a long-term lease agreement.
- The town is under no obligation to accept any RFP that does not meet its vision.

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- The benefits are many, including the following ones:
 1. The ownership remaining with the town.
 2. The building is renovated at no cost to the town.
 3. Revenue would be generated through the lease payments.
 4. It would have a positive impact on the neighborhood.
 5. The town would save a treasured community building.

She would like to see the town charge members of the Old High School Project Committee to work on the RFP and get the process going.

Claudia Knox, Cumberland Street, said this is a wonderful time to redevelop the old high school and generate funds. Doing nothing is not free. The Committee's research says it can be redeveloped at no cost to the town. Around the issue of a possible school being built on this site, they believe that there is enough usable space for Brunswick to qualify for a waiver for the amount of land needed to build a school. In addition, the Department of Education is proposing to eliminate the acreage requirement. The state could purchase the Armory site if it were to be available. The town can find a valuable use for the site. Brunswick citizens understand that young and old have things to give each other. Brunswick is a great place to grow-up in and to grow old in.

(A copy of the Old High School Project Committee's report will be attached to the official minutes.)

Pem Schaeffer, Crestview Lane, added his experience on this project. To him, originally, the question was if the building was worth saving, but when the Committee toured the Westbrook facility along with seeing photos from other renovations, he believes it can be. He was astonished on his recent second tour of the old high school building after seeing what was done to other buildings; he then viewed the school in a new light of possibilities. He strongly recommended the Council watch the DVD provided, and see the Westbrook facility; then take another tour of the old high school.

Suzan Wilson, Bunganuc Landing, said the town cannot know all the variables, but a decision must be made. The Councilors who ran last fall ran on making a decision on the old high school, and it is time to do that.

Doug Rice, Country Lane, said when he ran for Council two terms ago, this building was a hot issue. This plan is viable and has been looked at by developers, who see this as a good project. There is a lack of affordable elderly housing in the community and this can help. This building is a great space for some groups in town. He hopes the Council takes action on this plan.

Norm Hamlin, Page Street, said it is not proper for this old high school to sit for another ten years without anything being done. There are possibilities of vandalism to the building, which further damages it.

Richard Nemrow, resident of Harpswell and Brunswick property owner, said he was impressed with this group's work. They made a very professional presentation and he

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feels good about this. He has restored three properties in downtown Brunswick and would like to see that happen at the old high school. This is an opportunity that is doable.

Richard Morrell, Boody Street, said the Committee members made an extraordinary presentation and the three ladies led this Committee through the whole process. The Committee waited to make a decision until all the evidence was in. This proposal can be done and has been studied thoroughly. It is time to do something constructive to this building.

Mark Wilde, Jordan Avenue, thanked all those who have volunteered to do work on this project. The Council could take a few steps forward without any risk if they ask the committee to work on the RFP and go through the process of creating a vision. There could be a wealth of information generated from the RFPs and this work. It leaves the door open for future work. He asked the Council to let this process move forward and see where it goes.

Connie Lundquist, Longfellow Avenue and member of the CIP Committee, said she would recommend that Councilors go to Westbrook and get the information on how that project worked.

Chair King brought the item back to the Council for discussion. The Committee has done a great deal of high caliber work on this proposal. The town generally spends thousands of dollars for this type of report, and citizens did the work for free and even spent some of their own money. She went into this Committee so she could make a political decision on what to do with the old high school. At first she thought it should be torn down and after all the opinions and other projects presented, the conclusion was it was best to preserve the facility. She has been asked to have it go to the CIP Committee for review, but she is not going to let it die at the CIP level and wants to move forward on this.

Councilor Ewing said the Committee members made an excellent presentation and the work is well done. He thanked them for their work, and was grateful they included dissenting opinions. It is nice to see the evolution of thought, and the Council will have to weigh this information. He liked examples from Westbrook with an advisory referendum with what to do with the site. The question is does the Council follow this suggestion or other proposals like making it a town hall or other municipal facility. They need to look long-term at what to do with this site and other town facilities like Hawthorne School if it were to close. This is a civic pride issue of what the town does with the old high school. The School Department has said this site is the preferred site for a new school. The Council needs to look at the big picture on this. He believes a decision can be made this year. The town could possibly have an advisory referendum to see what to do with the site.

Councilor Daughtry thanked the Committee for the wonderful job they have done. She endorses the report and proposal. She would like to expand it with artist lofts. Her major concern is not wanting the property to leave town ownership. She would prefer a fifty year lease over a ninety-nine year one. She has concerns about the school site issue. She would like to see a master plan for the entire site with the School Department involved.

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Ms. O'Donnell said the town could still work on the RFP and feels that developers may come forward with great ideas which could be used to develop a master plan to bring a vision to the entire town.

Councilor Sartoris said the High School Reuse Committee was committed to reusing this building as a multigenerational center to include a preschool and People Plus. That Committee had the school issue brought forward at that time, but it would have been hard to push forward on a mutigenerational facility without keeping the school issue in mind. The town continues to need a school even with the base closing so this issue is raising its head again, and there is a great opportunity for state funds to pay for the school. This site is long-term and expandable and to take acres off the table at this time is not responsible. She is torn since this is a great vision, but she is unwilling to jeopardize the site for the new school. She will have to wait until the school issue is resolved.

Councilor Lowe thanked the committee for all their hard work. It is very exciting to think about the use for this site. There has been much frustration surrounding this site's future; a great idea is being proposed. This is a wonderful community site. The public as a whole has not been able to comment on its uses. The proposal sounds appealing for making a decision, but he has a concern about the school piece of this. The town has an opportunity for the state to pay the vast majority of the cost of a new school. He said the school process is an important part of the decision making process. If there are ways to integrate the school and other community functions, he would find this appealing, but the school comes first.

Councilor Augur said he was a member of this Committee. There is a cost for not acting, and there is no cost to put out the RFP on this building. It is a no risk proposition. The trade-off is giving a lease to save the building. There is historical value to this building for people who went here. What the new school is going to look like is not known yet, plus there is no guarantee the town is going to get state funding. The Council has to think of themselves as the LRA for this building. The Council has to come up with the decision on this site. The base closure should guide what the Council does, but it should not paralyze what they do. He would like to draw-up something to encourage the group, with town authority, to invite people to give opinions. There is no harm to do this, and the Council should invite this type of discussion.

Councilor Watson said it comes down to two decisions, whether this should be a school or a multi-generational complex. He prefers the multi-generational use. The School Department needs to make up their minds on this site. The group did this presentation with a great deal of love and looking at options without blinders. This is a work of love for the Town of Brunswick. The Council has to make a decision and the School Board needs to make a decision as to what to do.

Councilor Ansari thanked the Committee for all their work. At first she was in favor of tearing the building down, but has changed her mind. She gave an example of how the school she attended failed to be restored and was torn down, and how this put a hole in her community. This project would include housing and community uses. The School

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Department has been back and forth on the site and now they want it. She would like to see the Committee work with the Council; she likes the proposal.

Councilor Schneider thanked the Committee and said the town should start using this public building. The question should be asked "Is Westbrook better off with the building use?" He wants to make the decision this year; the price is right. He would like to hear from his District 4 residents as to how they feel. He does not feel a new school will bring as much pride as a multi-generational facility. He supports the Committee's proposal.

Chair King said, regarding the process, the Council will need to send it to the CIP committee so they can review it soon and come back to the Council. She wants them to move quickly if this is the recommendation. The public needs to weigh in prior to the RFP being sent. This is not a new school versus what to do with the old school. By saying this is new school issue, it is stalling the issue. The Council needs to make a decision and do it correctly. This is at no cost to the taxpayer, and it should be exciting to them. To determine if it will work, the Council needs to go the next step to find out if developers are interested and have ideas.

Manager Gerrish said the CIP Committee could get back to the Council by May 1, 2006.

Councilor Sartoris added that as part of this proposal the CIP Committee needs to include the cost to move the Council Chambers, Cable 7, meeting space, and storage.

Councilor Watson said there have been thousands of graduates of this high school; it has special meaning. Stephen King was a janitor and wrote the book "Carrie" while there. It is an important building.

Councilor Augur moved, Councilor Ewing seconded, to have the report from the Old High School Project Committee heard and reviewed by the CIP Committee and report back by May 1 with further recommended action. The motion carried with nine (9) yeas.

57. The Town Council will discuss setting up a pass through account for the literary plaque project, and take any appropriate action.

Manager Gerrish said this item is to have the Council authorize the town to set up financing to accept donations for the literary plaque project.

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

Councilor Sartoris thanked all those worked on this and said this is a great project for Brunswick.

Councilor Sartoris moved, Councilor Ewing seconded, to set up a pass through account for the literary plaque project. The motion carried with nine (9) yeas.

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58. The Town Council will consider setting a public hearing on proposed zoning amendments to the Village Review Zone, and take any appropriate action.

Item 58 was done prior to Item 57.

Jim Fortune, Town Planner, explained the proposals. The Village Review Board went through several changes. They are mostly administrative, except a change relative to design guidelines.

Councilor Sartoris moved, Councilor Watson seconded, to set a public hearing for April 18, 2006, on proposed zoning amendments to the Village Review Zone. The motion carried with nine (9) yeas.

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

59. The Town Council will consider a request by Daniel Landry to donate a granite bench in memory of Carol Stark to the Town of Brunswick to be placed on the bike path, and take any appropriate action.

Manager Gerrish said the town has accepted donations to place granite benches on the Bike Path. The attached letter outlines the most recent request. The Parks and Recreation Department has reviewed the request and supports the acceptance of the funds for the bench. The request is from Daniel Landry and his family in memory of Carol Stark.

Councilor Schneider moved, Councilor Daughtry seconded, to accept a donation of a granite bench in memory of Carol Stark to be placed on the bike path. The motion carried with nine (9) yeas.

(A copy of the letter from Daniel Landry will be attached to the official minutes.)

60. The Town Council will consider a request to clarify the property line with the Town of Brunswick and George Croston on property off Pleasant Hill Road (old Town Landfill), and take any appropriate action.

Manager Gerrish said the letter from Jim Higgins outlines the issues with the boundary between the town-owned property and Mr. Croston's property. A proposed Quitclaim Deed is also included. The town believes this agreement will clarify the lines for both property owners and would recommend the Council support of the exchange deeds.

Councilor Ewing moved, Councilor Ansari seconded, to approve a Quitclaim Deed to clarify the property line with the Town of Brunswick and George Croston on property off Pleasant Hill Road (old Town Landfill). The motion carried with nine (9) yeas.

(A copy of the quitclaim deed and map will be attached to the official minutes.)

61. The Town Council will consider conveying Town tax-acquired property, and take any appropriate action.

Manager Gerrish said Carol Knowles, Tax Office Manager, has prepared a memo stating that all taxes, lien costs and interest were paid regarding Timothy Zorach, and a proposed Quitclaim Deed to convey the property is included. The town recommends approval.

Councilor Watson moved, Councilor Daughtry seconded, to convey tax-acquired property and release tax liens by Municipal Quitclaim Deed to Timothy Zorach. The motion carried with nine (9) yeas.

(A copy of the memo from Ms. Knowles and the quitclaim deed will be attached to the official minutes.)

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

Councilor Schneider nominated the following persons:

- Ronald Lessard to serve on the Bicycle and Pedestrian Advisory Committee.
- Kurt Stinson to serve on the Conservation Commission for a term to expire May 1, 2009.
- Elsie Van Savage to serve on the Cable Television Committee for a term to expire on September 6, 2009.
- Mark Worthing to serve as the Fence Viewer for a term to expire on April 1, 2007.
- Molly Pitcher to serve on the Housing Authority as the citizen member for a term to expire on June 6, 2011.
- Emily Boochever to serve on the Sewer District Board of Trustees for a term to expire April 1, 2009.

Councilor Watson moved, Councilor Daughtry seconded, to approve the appointments of those nominated above by Councilor Schneider. The motion carried with nine (9) yeas.

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

The meeting adjourned at 9:30 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.

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Frances M. Smith
Town Clerk
April 10, 2006

May 1, 2006

Date of Approval

Council Chair