

-- APPROVED --
BRUNSWICK TOWN COUNCIL MINUTES
December 5, 2005
6:45 P.M.
Municipal Meeting Facility

6:15 P.M. Chair Lowe called the meeting to order.

Councilors Present: Chair Forrest Lowe, W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Louise V. Ansari, Barbara A. Desmarais, Newell A. Augur, and Joanne T. King.

Councilors Absent: None.

Town Staff Present: Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Clark Labbe, Fire Chief; Jerry Hinton, Police Chief; Mathew Eddy, Director of Economic Development; Don Goulet, Police Commander; Steve Balboni, Deputy Director of Parks and Recreation; Steve Walker, Natural Resources Planner; Geoffrey Hole, Town Attorney; and the TV video crew.

Executive Session: Legal Matter

Councilor Rice moved, Councilor Watson seconded, to go into executive session pursuant to 1 M.R.S.A. §405(6)(E) to discuss a legal matter. The motion carried with seven (7) yeas. Councilor Sartoris and Councilor Ansari arrived after the vote.

Meeting Continues (7:00 P.M.)

Chair Lowe asked for the Pledge of Allegiance.

Minutes of Previous Meetings: October 3, 2005, and November 28, 2005

Hearing no objections from the Council, Chair Lowe declared the minutes of October 3, 2005, with the removal of a statement attributed to the absent Councilor Sartoris, and November 28, 2005, accepted as written.

Public Comment:

Rick Powell, President of the Sage Swingers club, along with another group member, stated they use the gym at the old high school and questioned what the town would do if it did not have such a facility, which is used by many groups. Their group very much enjoys using the facility.

Correspondence: None.

Manager's Report:

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Steve Balboni, Deputy Director of Parks and Recreation, announced to the Council that Brunswick has been named a 2005 Sports Illustrated Good Sports Community of the Year. There are eight of them in the nation, and Brunswick will be featured in the December 12 issue of Sports Illustrated under the Youth Sports Programs sections.

(a) LRA Update

Mat Eddy, Acting Executive Director of the LRA, gave this update. He made the following points:

- They had their first televised meeting.
- They are interviewing for a firm that will do a search for the executive director.
- They have almost finalized a lease for office space at Fort Andross.
- The OEA application for the LRA has been submitted.
- There will be a meeting with the Governor's staff to work on the FAA part of the project.
- They are working on a website.
- Both Indian tribes have expressed some interest in space on the base.
- There is an audit being done regarding the impact of civilian lay-offs and other related jobs in the area.
- The Governor's Advisory Committee met for the first time last week and is learning their role.
- The LRA role is specifically laid out in a federal process, with different levels of review, and the local level will not begin until at least May 2006.
- There will be no Navy housing made available for at least three years.
- They are keeping a list of those interested in volunteering for subcommittees.

(b) Council Committee Updates

None

(c) Financial Update

Manager Gerrish said the town is five months into the fiscal year. On the revenue side, excise tax is in-line to be flat with last year's number, and state revenue sharing is about \$40,000 more than last year at this time. Investment of funds is doing well with the increase in interest rates, and other areas are doing well. On the expenditure side, the town is monitoring fuel and electricity costs.

Adjustments to Agenda: None.

225. The Town Council will consider authorizing application for a Brownfield grant through the EPA to help fund the building of private spaces and public pocket parks on Maine Street Station, and take any appropriate action.

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Mr. Eddy said the earlier grant had been used over the last year to develop a concept plan for the Maine Street Station and abutting locations. This project is coming to its final stages, with the plan being presented to the Council in January. At this time he wants to apply for more grants, one in the amount of \$1 million and three in the amount of \$200,000 each for clean-up. All of the grants are intended to be used in the redevelopment of the Maine Street Station site. There are no local matching funds required.

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

Councilor Desmarais moved, Councilor King seconded, to authorize Mr. Eddy to apply for four Brownfield grants through the EPA for use on the Maine Street Station site. The motion carried with nine (9) yeas.

226. The Town Council will discuss not exercising its option to buy back Lot 6 in the Industrial Park for one year, and take any appropriate action.

Mr. Eddy explained the history of the property and stated that Thibeault Energy has not started construction on the site yet. They expect to start construction in the spring of this coming year since they are about to sell their current site. Under the Declaration of Covenants and Restrictions, they needed to build within two years. This time is almost up, and Thibeault Energy is requesting a one-year extension. The town would have to not exercise its rights to buy back the lot in order to grant the extension.

Councilor Sartoris requested Mr. Eddy report back in six months as to the construction status.

Councilor Desmarais moved, Councilor Sartoris seconded, to give Thibeault Energy a one-year extension to build in the Industrial Park by not exercising the town's option to buy back the lot for one year. The motion carried with nine (9) yeas.

227. The Town Council will discuss the paper street crossing the proposed Mere Point Boat Launch parking lot, and take any appropriate action.

Geoffrey Hole, Town Attorney, defined a paper street as one that exists on "paper" but is not built on. In 1997, as required by state law, the town voted to preserve its interest in the 128 named paper streets for a twenty-year period. The paper street that crosses the boat launch site is on the list, and the question is does the town want to eliminate any public rights to this property. The town can pull a paper street off the list through an affidavit.

Steve Walker, Natural Resources Planner, said this paper street leads to nowhere, going from Birch Island Road to the Andrenyak's property. Those sites are served by existing roads. All of the paper street is located on the boat launch site, which is state-owned land, but it does touch those two private properties on the north and south. There is a lot of wetland in the street's path and it has been used for utility poles, but it has not been developed. This action has been discussed by staff for awhile.

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Mr. Hole said the 1997 town action put a “stop to the clock,” allowing the Council to make individual decisions on individual roads. Responding to Councilor King’s question, Mr. Hole said the Council could hold a public hearing on this, but it is not required.

Councilor Galloupe said in 1997 the roads were placed on the list for numerous reasons and the Council chose to do a blanket extension so they could deal with the roads on an individual basis. This one is all within the state-owned property, and the public is not getting or losing anything.

Councilor Sartoris said the Council has voted to have the boat launch, and it makes common sense for the town not to keep its right to this paper street.

Councilor Galloupe moved, Councilor Sartoris seconded, to eliminate the public rights in a paper street as described on a plan entitled “Thompson Farm Mere Point, Brunswick, Maine Owned by Floyd Taylor” dated June 21, 1921, and prepared by Stephen Litchfield. The motion carried with eight (8) yeas. Councilor King was opposed.

(A copy of the Affidavit Regarding Paper Streets will be attached to the official minutes.)

228. The Town Council will receive a letter from Martin Wilk, President of the Brunswick Economic Development Corporation, regarding additional staffing, and take any appropriate action.

Martin Wilk, President of the Brunswick Economic Development Corporation (BEDC), said they are requesting the town hire two additional economic development positions. This request has worth in its own right, even without the base closure. With its closure, the need goes to a greater level. Mr. Eddy is working very hard, but in order to develop a master plan, the town needs to be ahead of the curve. His group wants to be ready when the base closes. The town needs to be ramping-up full speed now to work on items such as a new industrial park and the Maine Street Station plan development. The town needs additional professional economic development personnel to do this.

Scott Howard, Vice President of BEDC, added some numbers to support the need for additional economic development staff. There will be approximately 5,200 jobs lost as a result of the base closing, which represents about a third of the total number of jobs in Brunswick. It is a staggering number of employees to replace. The town has to start now to replace those jobs, and, with all the demands on Mr. Eddy’s time, there needs to be at least two additional staff. The best way to replace jobs in Brunswick is to emphasize the expansion and retention of existing businesses through the assistance of a local professional staff.

John Gerard, member of BEDC, said both the requested positions are necessary to do the job. The closure will create impacts on other things such as housing. He added, as a member of the downtown association, the group unanimously supports this request. He

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is confident the town will receive a return on this investment. Along with the base closure, there is a possibility of layoffs at Bath Iron Works. The town owes it to citizens to minimize the impacts on housing and commercial entities. The town needs someone working with the federal government for tax incentives and to start working with existing businesses to expand. It will take years to replace lost jobs. He urged the Council to support the request for additional staff.

Ted Crooker, member of BEDC, said there is a great need for the two positions, if not more. The town should tap into grant money, which may assist with issues such as infrastructure needs.

Manager Gerrish said the town is working on hiring a consultant to help with grant writing. Mr. Eddy has been working a lot of hours, but they hope to have an executive director for the LRA in two or three months so this will free his time up.

Mr. Eddy said the total number of lost jobs from the base closure is not clear, with estimates ranging from 2,000 to 4,000, so they are working to get a solid number. Given all that he is learning, with base closure and grants, his office could in the future support two more staff. The LRA office will have a staff of four to five, and they are working to fill jobs. Timing is an issue. It would be great to have an additional person in the office to meet with businesses, including those at Cooks Corner and in the downtown. He would like to get a professional person soon and revisit the issue of a second person at budget time. As for funding the positions, he would leave that to the Town Manager. He did look at the Times Record TIF and current grants, which the town has not taken out for administrative costs, as a possible way to fund the positions.

Manager Gerrish said if the Council wants to hire, historically it has been done through the budget process. If it is done now, it would have to be done as an emergency appropriation from the unappropriated fund balance. He explained that this fund has not been used for operational costs, only capital projects. He estimated that with fringe benefits the two positions could cost about \$150,000.

Councilor Galloupe said he would like to have a better idea how all the various groups, such as the LRA, BEDC, and economic development positions, either work together or separately.

Mr. Eddy said there is no funding available from the OEA. He added that the LRA office is for redevelopment inside the fence, not the rest of the town. The BEDC is staffed by him, and they support local projects.

Councilor Sartoris said there is no budget associated with this request, and unless it is an emergency, this should be a budget issue. On one hand she is supportive of the BEDC, but she has to vote on the budget; this request should be part of that process. She would like to see more information, such as how many economic development positions other communities have.

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Councilor Ansari said she is concerned with all that is going on, about taking the money from the unappropriated fund balance and taking this out of the budget process. She did recognize Mr. Eddy needs additional help.

Councilor Rice said he is appreciative of the BEDC's thought process, and, if the Council funds this position, they will need to give up certain other things in the budget. The Council cannot ignore this need and should move ahead with one position by phasing it in. He said the concept is important, and the Council should support it.

Councilor King said she has a great deal of respect for BEDC, and she was hoping there was going to be money from OEA. The town needs to focus on retention and growth of existing businesses. She recognizes this need and hopes to get information on the fiscal impacts.

Councilor Augur said he had hoped that the LRA would be looking at the existing businesses, but that is not occurring. He suggested that there may need to be some priorities made regarding town staff positions.

Chair Lowe supports the concept that the Council needs to enhance the town's economic development. The Council is close to the budget process, and this request should be part of that process.

Marty Wilk said the BEDC did not expect the town to hire someone tonight. Their point is to express the importance of having economic development, especially with the base closure, to deal with the job loss takes manpower and expertise. Adequate staffing should be a priority. He added this request came from BEDC – not Mr. Eddy. The current LRA is not going to solve this need since they are tasked with doing a master plan, and an implementation LRA that will not happen for at least two years.

Councilor Watson said he is in support of the additional staff, but it should be done in increments. He supported the concept and wanted more information gathered to look at the cost involved.

229. The Town Council will consider setting a public hearing to amend Chapter 3 of the Code of Ordinances regarding Alarms, and take any appropriate action.

Don Goulet, Police Commander, said this proposed language had been brought to the Council over a year ago, and the Council asked to have information on what other towns do. The town's goal for the proposal is to reduce the number of false alarms. About ninety-five percent of police alarms are false.

(A copy of fine information from other towns will be attached to the official minutes.)

Chief Labbe said the ninety-five percent false alarm rate does not apply to fire alarms. His department bills for false alarms. Billing and tracking alarms will go a long way to reduce the number of false alarms.

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Councilor Watson said false alarms put citizens and public safety personnel at unnecessary risk.

Manager Gerrish said if there is a false alarm due to weather condition malfunctions, the town does not bill. The goal is to reduce the number of repeat offenders.

Chief Labbe said someone is allowed two false alarms, then a warning is given, and finally, the person or business is billed.

Commander Goulet said, responding to Councilor Ansari's question about why the fines are not higher, the Police felt the \$25 fine was pretty standard and similar to what others charge. The Fire Department's fine is \$100 since there is more apparatus involved.

Councilor Augur inquired about a sliding type fee structure. Manager Gerrish said that could be done if that is the desire of the Council.

Councilor Desmarais moved, Councilor Rice seconded, to set a public hearing for December 19, 2005, to amend Chapter 3 (Alarms) of the Code of Ordinance. The motion carried with nine (9) yeas.

230. The Town Council will consider applying for a Recreational Trail Grant Program, and take any appropriate action.

Mr. Walker said this application to the Bureau of Parks and Public Lands Recreational Trail Program is to fund three neighborhood trail connections to the Town Commons and establish a permanent trail crossing over a stream near Middle Bay Road.

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

Councilor Sartoris moved, Councilor Ansari seconded, to authorize applying for funding to the Bureau of Parks and Public Lands Recreational Trail Program. The motion carried with nine (9) yeas.

231. The Town Council will discuss appointments to Boards and Committees, and will take any appropriate action.

Councilor King nominated Michael Olivo to serve on the Board of Assessment Review for a three-year term to expire on January 12, 2009; she asked the Chair to cease nominations and cast one vote for Mr. Olivo. The Council voted nine (9) yeas to appoint Mr. Olivo to the Board of Assessment Review.

Councilor Sartoris nominated Melvin Hodgkins to serve on the Capital Improvement Plan Committee; she asked the Chair to cease nominations and cast one vote for Mr. Hodgkins. The Council voted nine (9) yeas to appoint Mr. Hodgkins to the Capital Improvement Plan Committee.

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Councilor Sartoris nominated Joan Hoppe to serve on the Growstown School Committee as the neighborhood member for a three-year term to expire on January 18, 2009; she asked the Chair to cease nominations and cast one vote for Ms. Hoppe. The Council voted nine (9) yeas to appoint Ms. Hoppe to the Growstown School Committee.

Councilor Watson nominated William Perry to serve on the Personnel Board as an alternate member for a three-year term to expire on January 12, 2009, and Mark Phillips and Dale King to serve on the Personnel Board as full members for three-year terms to expire on January 12, 2009; he asked the Chair to cease nominations and cast one vote each for Mr. Perry, Mr. Phillips and Mr. King. The Council voted eight (8) yeas to appoint Mr. Perry, Mr. Phillips, and Mr. King to the Personnel Board. Councilor King abstained.

Councilor King nominated Pamela Edgerton to serve on the Recycling Committee for a three-year term to expire on January 1, 2009; she asked the Chair to cease nominations and cast one vote for Ms. Edgerton. The Council voted nine (9) yeas to appoint Ms. Edgerton to the Recycling Committee.

Councilor King nominated Brooks Stoddard to serve on the Village Review Board as the Professional member for a three-year term to expire on October 20, 2008; she asked the Chair to cease nominations and cast one vote for Mr. Stoddard. The Council voted nine (9) yeas to appoint Mr. Stoddard to the Village Review Board.

Councilor King nominated John Poutree to serve on the Zoning Board of Appeals as the full member for a three-year term to expire on December 18, 2008; she asked the Chair to cease nominations and cast one vote for Mr. Poutree. The Council voted nine (9) yeas to appoint Mr. Poutree to the Zoning Board of Appeals.

The meeting adjourned at 9:22 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 9, 2005*

December 19, 2005

Date of Approval

Council Chair

