

**APPROVED**  
**BRUNSWICK TOWN COUNCIL MINUTES**  
**SPECIAL MEETING**  
**December 8, 2003**  
**7:30 p.m.**  
**Municipal Meeting Facility**

**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, Forrest Lowe, Joanne T. King, and Stephen H. McCausland.

**Councilors Absent:** None.

**Others Present:** Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Mathew Eddy, Economic Development Director; several citizens, members of the press, and TV video crew.

**204. The Town Council will discuss the possible repurchase of Lot 6 in the Brunswick Industrial Park and will take any appropriate action.**

Manager Gerrish gave a brief history of Lot 6 in the Industrial Park. There are covenants which allow the town to repurchase the lot if not built in two (2) years after its purchase. In 1990 the Council chose not to buy it back under the covenants. The lot was then sold to the Davis family in 1998 and now they wish to sell it to Thibeault Energy. The Council needs to decide if they wish to repurchase the lot back from the Davis family as allowed under the covenants since they did not build on it within two (2) years.

**Marty Wilk**, President of Brunswick Economic Development Corporation, presented the corporation's position on this issue. They recommend that the town not exercise its option to purchase back the property. It is not appropriate on the eve of a sale to come in and repurchase the lot. This would deprive the owners of the right of economic gain. He pointed out that the corporation was not part of this negotiation between the Davis family and Thibeault Energy.

*(A copy of the Brunswick Economic Development Corporation's letter on this item will be attached to the official minutes.)*

Councilor Sartoris asked if two (2) years from now there is no building on the lot, would the corporation's recommendation remain the same.

Mr. Wilk said that two (2) years would be a close proximity to the sale versus the fourteen (14) years currently facing the Council so this would be a different situation. It would be more in the spirit of the covenant, but it is speculative to answer.

**Town Council Minutes**

**December 8, 2003**

**Page 2**

Councilor Galloupe asked if the sale does not go through, could the town repurchase the lot.

Mr. Wilk said the town would have the legal right to do so, but it would still be unfair to the Davis family since the town has still “slept” on its rights for fourteen (14) years. He could not be supportive of taking the possibility of an economic gain away from the family. The action tonight does not bind Council under different circumstances.

Mathew Eddy, Director of Economic Development, said he is in support of the corporation’s recommendation. There is a business that is eager to develop this property and to redevelop their property on Summer Street.

**Councilor Randolph moved, Councilor Watson seconded, to have the Town of Brunswick not exercise its rights to buy back Lot 6 in the Industrial Park and to allow the purchase agreement between the Davis family and Thibeault Energy to go through.**

Councilor Lowe said he supports the sale of the lot to Thibeault Energy by the Davis Family.

Councilor McCausland thanked the corporation for their work. He is not going to support the motion since Brunswick has a history of buying high and selling low. Thibeault Energy is a good business, but this is the first time he is aware of this pending sale. If there is a profit to be made, it should be made by the town and the town has the right to do so. If there is profit to be made, he feels a responsibility to represent the town residents’ benefit.

Councilor Randolph is going to vote in support of the motion as a method to support business. There had been the opportunity to purchase the property back earlier and the Council chose not to do so. This is a good message to send to businesses in Brunswick, Maine and the country. The message is that the town will work with businesses.

Councilor Galloupe said the Council had three (3) years to repurchase the lot and did not. Now that there is a possible sale, there is discussion to purchase it. This is not morally correct to do. If the sale does not go through, the Council needs to take a closer look at this repurchasing.

Chair Priest said this was a close item. The reason the Council did not exercise its option before is due to an earlier recommendation of the Brunswick Development Corporation. He will vote in support of the motion since it is the first recommendation of the new corporation that the Council assisted in creating. The Council needs to be more aware in future of situations like this.

**Town Council Minutes**

**December 8, 2003**

**Page 3**

Councilor Sartoris said the real benefit to residents is having the property built on. In the future when a new industrial park is created, the Council needs to be more aware of lots being filled. She is a little disappointed in hearing about this issue so late.

Councilor Rice said the Davis family has paid taxes on the property and did some work to develop it so he will vote in favor of the motion.

Councilor King said it would be horrible to prevent the Davis family from making a profit and it is risky for the town to be in real estate management. Thibeault Energy is a sound business and she hopes the deal goes through.

Councilor Watson said this issue will not happen in the future with Mr. Eddy on board and the new committee. The town owes it to the people who purchased it not to buy it back.

**Councilor Randolph moved, Councilor Watson seconded, to have the Town of Brunswick not exercise its rights to buy back Lot 6 in the Industrial Park and to allow the purchase agreement between the Davis family and Thibeault Energy to go through. The motion carried with eight (8) yeas. Councilor McCausland was opposed.**

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

The meeting adjourned at 8:10 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  
December 9, 2003*

December 15, 2003

---

*Date of Approval*

---

*Council Chair*