

-- APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
December 18, 2006
Executive Session 6:00 P.M.
Meeting 7:00 P.M.
Municipal Meeting Facility

6:00 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, Gerald E. Favreau, Ryan E. Ewing, Newell A. Augur, and Forrest Lowe.

Councilors Absent: None.

Town Staff Present: Donald Gerrish, Town Manager; Elin M. Gould, Deputy Town Clerk; Theo Holtwijk, Director of Planning and Development; Tom Farrell, Parks and Recreation Director; John Eldridge, Finance Director; Steve Levesque, Executive Director of BLRA; Jeff Jordan, Deputy Director of BLRA; and the TV video crew.

Executive Session: Acquisition of Property or Economic Development per 1 M.S.R.A. Sec §405 (6)(C) Consultation with Legal Council per 1 M.R.S.A. Sec § 405(6)(E)

Councilor Watson moved, Councilor Daughtry seconded, to go into executive session pursuant to 1 M.R.S.A. §405(6)(C) regarding acquisition of property or Economic Development, and 1 M.R.S.A. Sec § 405(6)(E), consultation with legal council. The motion carried with six (6) yeas. Councilors Sartoris, Favreau, and Augur arrived after the vote.

Meeting Continued: 7:15 P.M.

Chair King called for the Pledge of Allegiance.

Chair King recognized outgoing Councilor Forrest Lowe for his contributions during his eight years on the Council and presented him with a plaque on behalf of the Council. She thanked him for his service on numerous Council committees, his chairmanship of the Open Space and Recreation Task Force, his work with union negotiations, and membership on the BEDC and BLRA, as well as his two years as Council chair. She also said she appreciated his ability to pick out salient points in complex topics.

Councilor Lowe said during his time on the Council he learned a great deal about government and how it works, and he met and got to know a lot of terrific people. He said the people of Brunswick should be proud of the staff that works for them; it was his pleasure to work with that staff and in particular, Town Manager Gerrish.

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Public Comment:

Fred Blanchard, Harpswell Road, spoke about the rising cost of solid waste removal since the town began contracting with a private hauler, and the lack of funds going into the enterprise fund. He questioned why the cost has risen so much, where the money is for the enterprise fund, and if the money collected by the soon to be implemented pay per bag program will be used to reduce property taxes.

Manager Gerrish responded to Mr. Blanchard's comments saying the contract cost Mr. Blanchard stated was incorrect and he would get back to the Council with accurate numbers, which Councilor Sartoris asked to have discussed briefly at a public meeting so that the correct information is made available.

Correspondence:

Councilor Augur said he spoke about the town budget to the third graders at Longfellow School, using pennies to represent the multi-million dollar budget. He thanked the students and their teachers and he then read one of the many letters of thanks he received from the students.

Manager Gerrish also thanked the Longfellow third graders and their teachers for their subsequent visit to Town Hall.

Adjustments to Agenda:

Take Item #206 before Item #203.

Manager's Report:

(a) Council Committee Updates

Councilor Lowe said the Maine Street Station Committee would come back to the Council in January with more information.

Councilor Daughtry said there was good attendance and a lot of wonderful ideas at the Elementary School Committee public forum on December 6, 2006. Site selection is to be announced in March.

(b) Council Workshops and Council Retreat

Manager Gerrish reminded the Council that the inauguration of Councilors and School Board members will be on Tuesday, January 2, 2007. There will also be two regular Council meetings in January, on Monday, January 8, 2007, and Tuesday, January 16, 2007 (Monday is the Martin Luther King, Jr. holiday). He also said the Council retreat is tentatively scheduled for Saturday, January 6, 2007, beginning in the morning. Manager

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Gerrish said he needs to hear from the Councilors as soon as possible regarding their availability on that date. Also, there may need to be more dates for workshops.

201. The Town Council will hear public comments on the Maine CDBG Infrastructure Grant for \$500,000 on Maine Street Station, and will take any appropriate action.

Manager Gerrish said the CDBG Grant can be used to offset costs for infrastructure improvements such as sewer, water, and roads. A public hearing is required prior to applying for this grant. The rules preclude applying for the whole \$500,000 this year; therefore, the requested amount will be \$100,000.

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

Councilor Lowe said he was hopeful to be able to get all of the grant money next year.

Councilor Lowe moved, Councilor Ewing seconded, to apply for a CDBG Infrastructure Grant in the amount of \$100,000 for Maine Street Station. The motion carried with nine (9) yeas.

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

202. The Town Council will hear public comments on amending Chapter 15, Section 15-74 of the Municipal Code of Ordinance to remove four parking spaces in front of the Joshua Chamberlain House on Maine Street, and will take any appropriate action.

Manager Gerrish said there is an option to eliminate all four, or fewer, spaces.

Councilor Favreau said he wants to remove all four spaces; it is needed to see the cars coming at the speed they are coming.

Chair King opened the public hearing.

Eleanor Brown, 7 Potter Street, said she has lived there for eighteen years. People cannot see to the left, and the cars coming down Maine Street go fast up over the hill. She would like to see all four spaces eliminated.

Matthea Daughtry, 15 Oak Ridge Road, said it is scary to get out of your car there; it is dangerous for pedestrians.

Mary Herman, 15 Potter Street, said she has lived there for twenty three years. Cars must creep out and can only get out due to the kindness of other drivers. She thanked the Council for considering this amendment.

Chair King closed the public hearing.

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Manager Gerrish, responding to Councilor Augur's question, said notification of this proposed change was given to Bowdoin College, First Parish Church, and the Brunswick Downtown Association, and he received no comments from any of them.

Councilor Ewing said the BDA board had no objection, as a good job has been done adding spaces elsewhere when possible. Informal talks with the BDA board indicated they were more in favor of taking away the spots than not.

Chair King said John Foster, Public Works Director, compared this to the Bank Street intersection. She also said long term solutions will come with future planning.

Councilor Sartoris noted that Mr. Foster's memo recommends all four spaces being eliminated to meet site distance criteria.

Manager Gerrish cautioned that a number of intersections do not meet the site distance criteria.

Councilor Favreau said the biggest factor at this spot is speed.

Chair King appreciated the comments about the danger existing for people who are parked in those spots.

Councilor Ewing said Pejepscot Historical Society had plans to remove a hedge, which might contribute to a solution, but he was unaware of the current plans in that regard.

Councilor Sartoris moved, Councilor Watson seconded, to adopt amendments to Chapter 15, Section 15-74 to remove four parking spots in front of Joshua Chamberlain House on Maine Street. The motion carried with nine (9) yeas.

(A copy of the adopted amendment and a memo from John Foster will be attached to the official minutes.)

203. The Town Council will receive an update from the Old High School Committee, and will take any appropriate action.

Margo Knight, Chair of the Old High School Implementation Committee, spoke of the make-up of the committee and their charge. She then made the report in the form of a Power Point presentation.

Councilor Watson said the support of the Council is needed for the committee to go forward with an RFP, as stated in its charge.

Responding to a question from Chair King, Manager Gerrish said the time frame for the new elementary school site selection is in the spring, March at the earliest.

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Councilor Augur said the committee's concern is that until the Council resolves the school issue the best efforts of the developer community cannot be obtained. The Council needs to endorse this over a school to get the best proposals from developers to save the building so it is not a waste of time for them. Citizens want to see an historical building saved so if a few good bids are received it will be a win for the town. If there are no good bids, the citizens will see that a good faith effort has been made to save the building, as it is not likely the 1937 building will stay with a new school sited there.

Councilor Daughtry disagreed with Councilor Augur, saying that an endorsement now will hamstring school architects for the next months as the site is a strong contender.

Councilor Augur said it would be taken off the table if there is a development that works. He thought an RFP could be done by February and, giving it ninety days, would still be within the timetable for the school selection.

Councilor Daughtry said there is a strict schedule decreed by the state; a site must be selected by March. There must be parallel tracts to proceed, and they must be synchronized. One cannot be stopped to go ahead with the other. She cannot support this.

Councilor Favreau said he would want to put the issue of saving the old building or having a new school put out to referendum.

Ms. Knight responded to Councilor Lowe's question regarding the value of land set aside for the developer in Plan B, saying that no value has been set; it is put in to make an enticing package, acknowledging the projected shortfall in funding.

Chair King asked if the committee could continue to work on the RFP with no support pledged at this time for the choice of this over a school.

Ms. Knight responded yes, but that no RFP could be put on the street until a decision is made.

Councilor Sartoris expressed concern that the document had only been received Friday afternoon, it was eighty pages, and only one hundred people interacted in the process. She said Councilor Augur was asking for a substantial commitment, with a couple of million dollar funding gap. She suggested there be more time to review the document.

Councilor Augur, saying he had perhaps been too ardent in his comments, agreed that this did not have to be done tonight.

Councilor Daughtry reiterated that the synchronized parallel paths should be continued until March.

Councilor Watson said that is what is being asked. The committee is fulfilling their charge. Although they may not be in a position to put it out to developers down the road, a vote of confidence is needed to continue work on the RFP.

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Councilor Ewing asked about the bottom line if there is no public/private partnership and the town renovates the building. He noted there would be a cost to taxpayers and a cost to the town to give up some public uses. He wanted that to be part of the RFP.

Councilor Lowe said he supports civic use, as did many of the participants in the process, as well as the outdoor recreation uses.

Pem Schaeffer, Crestview Lane, cautioned that site selection then goes to referendum, and then the cost to the town may have to go to referendum, too. Meanwhile, the building continues to deteriorate.

Chair King stated that when the RFP goes out, a decision will have to have been made; it will not drag out past that time.

Councilor Augur asked what happens next if this site is selected for a school.

Manager Gerrish responded that ultimately the decision is the Council's. He also said, responding to Councilor Favreau's question, that the deadline in the OHS Implementation Committee charge could be changed by the Council.

Councilor Sartoris asked for more details of the process regarding the elementary school to be available to them in January.

Councilor Schneider said he approves the master plan and the work done by the committee.

Councilor Schneider moved, Councilor Favreau seconded, to approve the master plan, as submitted.

Councilor Ewing again asked to include a totally public civic use in the RFP.

Manager Gerrish read from the committee charge given by the Council. He said we are at step six, to approve the Master Plan, and then the committee would come back with step seven, to approve the RFP.

Councilor Sartoris questioned the different meaning of the terms accept and approve. She again expressed concern over the amount of time to review this plan, saying it was one of the most significant topics to come before the Council in her tenure. There is a sense of approving the 1937 building as a priority. She suggested tabling until January when there has been more time to review the plan.

Reworded motion (agreed to by motion maker and seconder):

Councilor Schneider moved, Councilor Favreau seconded, to accept the Master Plan Report of the Old High School Implementation Committee and approve the

committee moving forward with its charge to put together an RFP for consideration. The motion carried with nine (9) yeas.

(A copy of the Master Plan Report will be attached to the official minutes.)

204. The Town Council will consider setting a public hearing to amend Chapter 9 (Human Services) of the General Assistance Ordinance, and will take any appropriate action.

Manager Gerrish said it is an annual process to review this; it should have been done in October, however, some of the numbers weren't available at that time. Most of the numbers are the same as last year, with a few slightly increased. Overall, staff agrees with the numbers.

Councilor Sartoris moved, Councilor Schneider seconded, to set a public hearing for January 8, 2007 on amendments to Chapter 9 (Human Services) of the General Assistance Ordinance. The motion carried with nine (9) yeas.

(A copy of a memo from Mary Reindl and the proposed ordinance appendices will be attached to the official minutes.)

205. The Town Council will consider accepting a conservation easement on Phase II at Otter Trace, and will take any appropriate action. (Manager)

Manager Gerrish said this easement was part of the Planning Board's site plan approval for the development has been reviewed and recommended for approval by the Conservation Commission, and has been reviewed by the Town's attorney, Geoff Hole. It is consistent with the standard easement terms and conditions of similar conservation easements previously accepted by the Council.

Councilor Sartoris noted that this development complies with rural Brunswick Smart Growth and she thanked developer Paul Clark.

Councilor Sartoris moved, Councilor Ewing seconded, to accept a conservation easement on Phase 11 at Otter Trace. The motion carried with nine (9) yeas.

(A copy of a memo from Tim Lukas, a map, and the easement deed will be attached to the official minutes.)

206. The Town Council will consider authorizing the Town and BLRA to submit a grant extension to the O.E.A., and will take any appropriate action.

Steve Levesque, Executive Director of the Brunswick Local Redevelopment Authority, said this request is for a one year contract extension. It will include funding for a public survey, a draft zoning ordinance and map, and the town's portion of audit expenses. The Office of Economic Adjustment has agreed to this. Part of the request is also for environmental assessment work, but this has not been agreed to at this time; it will come

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back in the future as an amendment. The additional \$721,000 from this contract will be matched by a state Community Development Block Grant.

Responding to Councilor Ewing's request, Mr. Levesque explained the relationship between the BLRA and the town. He said the BLRA shares space with the Town of Brunswick Office of Economic Development and that the town is the fiscal agent for the BLRA, with all monies flowing through the town.

Councilor Lowe moved, Councilor Sartoris seconded, to authorize the Town And BLRA to submit a grant extension to the O.E.A. The motion carried with nine (9) yeas.

(A copy of a memo from Steve Levesque detailing the request will be attached to the official minutes.)

Consent Agenda:

A. Reappointment of Registrar

B. Board of Voter Appeals

C. Approval of Minutes:

September 5, 2006

September 18, 2006

October 2, 2006

October 16, 2006

November 6, 2006

November 20, 2006

December 4, 2006

Councilor Sartoris moved, Councilor Lowe seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

Manager Gerrish, on behalf of himself and the staff, thanked Councilor Lowe for his service and said it had been a pleasure to work with him. He then wished everyone Happy Holidays.

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

The meeting adjourned at 9:00 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.

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Elin M. Gould
Deputy Town Clerk
December 19, 2006

January 8, 2007

Date of Approval

Council Chair