

-- APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
May 5, 2008
Municipal Meeting Facility
44 McKeen Street

Councilors Present: Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Hallie Daughtry, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, Newell A. Augur, and David C. Webb.

Councilors Absent: None.

Town Staff Present: Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Gary Brown, Assistant Town Manager; Anna Breinich, Director of Planning and Development; Mat Eddy, Director of Economic Development; Dan Devereaux, Marine Resources Warden; Mark Waltz, Police Lieutenant; and the TV video crew.

Chair King called the meeting to order and asked the Clerk for roll call.

Executive Session: Personnel Matters as per M.R.S.A. §405(6)(A)

Councilor Augur moved, Councilor Webb seconded, to go into executive session to discuss personnel matters per M.R.S.A. §405(6)(A). The motion carried with nine (9) yeas.

Meeting Resumes at 7:00 p.m.

Chair King called for the Pledge of Allegiance.

Public Comment:

Bev Bevilacqua, 76 Federal Street, invited the Council members to the revealing of the mural on Saturday at 1:00 p.m. at 11 Pleasant Street for Brunswick's Sister City Trinidad, Cuba. There will be nothing else like it in this area, with over sixty figures in the mural.

Correspondence:

Councilor Webb reported that the Board of Selectmen of Topsham wrote a letter to Brunswick expressing their interest in exploring regional options for a business park.

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

Manager Gerrish said there will be a meeting on May 17, 2008, at 7:00 p.m. in Topsham with the Topsham Development Corporation to which Brunswick officials are invited.

Councilor Watson noted the passing of Cam Niven, former owner of the Times Record, and former Police Chief Clement Favreau.

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Councilor Daughtry noted the passing of Tom Peterson and Ann Favreau. Both gave much to this community. Ms. Favreau was a former Councilor for her district.

Adjustments to the Agenda:

Councilor Augur moved, Councilor Webb seconded, to Table #61 to come back on May 19, 2008. The motion carried with nine (9) yeas.

Manager's Report:

(a) Financial Updates

Manager Gerrish said under excise tax, the town is expected to be above the projected numbers by between \$25,000 and \$50,000 and for state revenue sharing, between \$75,000 and \$100,000. The winter works budget is over \$210,000 and the central garage is over \$40,000 to \$50,000. There are savings in health insurance (around \$125,000) and in other areas so he hopes overall the town will be fine.

Councilor Favreau said the Public Works Department has done a great job cleaning streets and crosswalks.

(b) Council Committee Updates

Councilor Knight said the Maine Street Station Oversight Committee met on May 1, 2008, and since there will be funds for the train, they expect a train coming from Portland by 2010. They will not be commuter trains but tourist ones. Because of this project, Brunswick will be one of the only towns to have a train station by the time the train comes. She asked about when the traffic issues will be up for discussion at the Planning Board or Council level.

Manager Gerrish explained the discussion on the issue around the church. The project around the church is an MDOT project so they take the lead and work with the town and citizens. The Council and MDOT will have the final say on this and notices of public meetings will be sent out. If people have questions on another intersection, start with him or John Foster. The Planning Board is dealing with the Maine Street Station project traffic issues as part of their review.

Chair King said there is a lot of confusion about what the Joint Development Agreement means. She would like to have a meeting of the Oversight Committee televised to address some of these concerns. Councilor Knight responded that they can discuss this at their next meeting.

Councilor Webb asked for an overview of what is happening with the landowners and looking at the smaller sites for a business park. There are three sites in West Brunswick and one in the Cooks Corner area.

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Gary Brown, Assistant Town Manager, answered that they have had communications with the owners and all but one has given the town permission to look at the properties. So far, the smaller properties have no vernal pools. On the Moore Property they found one area that may be a vernal pool - it may not be a naturally forming pool so it does not meet that criteria.

Councilor Webb said, responding to Councilor Favreau's question as to why the town is looking at smaller sites now, the Council voted, when they decided not to look at Fox Run, to allow those funds to be used to look at the other sites.

Chair King expressed some concerns with studying other locations, but felt the money was there if they wanted to study more.

Councilor Webb said the town needs to study the vernal pools for other sites.

Councilor Klatt asked about quit claim deeds being used to convey property. Mr. Brown explained them and Councilor Daughtry said it is a standard way of doing this and the title insurance protects the town.

Councilor Favreau talked about the May 14 meeting of the Elementary School Committee with the Brunswick Sports Council. They have also created informational fliers for the Elementary School project to get out to the public. They visited Thornton Oaks and other places discussing the merits of the project.

Councilor Daughtry said the Facilities Committee met and this will be discussed later in the agenda.

(c) Banner Pole donation from Bowdoin College

This item was removed since no letter had been received from Bowdoin College yet.

(d) Award for Anna Breinich

Manager Gerrish said Ms. Breinich has received the Dallas A. Dollase award from the Commonwealth of Pennsylvania, Office of the Lieutenant Governor, for Excellence in Planning. Ms. Breinich's former employment was in Pennsylvania.

(A copy of the award will be attached to the official minutes.)

(e) Update on Mere Point Boat Launch

Manager Gerrish updated the Council on matters relating to the Mere Point Boat Launch. Staff has been working with the state and there are four areas that still need to be worked on, including lowering the dock, which could be a month to a month and a half away. There has been a pole issue, which is close to being resolved; the Wharton Point and

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Simpson's Point work should be done this week; the town and state continue to work on the mooring issue. There is some frustration that the launch is not open and the town has already conveyed it to the state. He will report back at each meeting and will put updates on the web page. Manager Gerrish added the town had some calls on dogs running at large; there will be a person there daily to let people know dogs cannot be at large. Responding to Chair King, he said Simpson's Point will be closed to motorized watercraft once the Mere Point boat launch is opened.

58. The Town Council will hear public comments on the submission of the "2008" Maine Infrastructure Trust Fund application to the State of Maine CDBG Program, and will take any appropriate action.

Matt Eddy, Director of Economic Development, provided an overview of this and the next item. The first grant is for \$500,000, and he is also putting in a CDBG grant for \$400,000 for the same thing to cover all the bases. The town probably will not get both, but he hopes to get one. He explained that another grant, for \$850,000, is still moving through the process. He will not apply for the second grant if the town receives the first one.

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

Councilor Tucker moved, Councilor Watson seconded, to apply for the "2008" Maine Infrastructure Trust Fund grant. The motion carried with nine (9) yeas.

59. The Town Council will hear public comments on the submission of the "2008" Economic Development Program Grant application to the State of Maine CDBG Program, and will take any appropriate action.

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

Councilor Daughtry move, Councilor Favreau seconded, to apply for the "2008" Economic Development Program Grant. The motion carried with nine (9) yeas.

60. The Town Council will consider the request from Kenneth Gowell for Sellers of Prepared Food on the Mall, and will take any appropriate action.

Manager Gerrish explained this item is to consider the request for Kenneth Gowell to locate a portable food vending cart on the mall; there is still one spot available.

Mr. Gowell said he plans to do work on the cart such as providing new siding.

Chair King asked to table this until the work is done.

Councilor Webb moved, Councilor Favreau seconded, to table this item until improvements have been made to the vending cart. The motion carried with nine (9) yeas.

61. **The Town Council will discuss potential amendments to the zoning ordinance concerning the definition of a dwelling unit and a boarding home, and will take any appropriate action.**

This item was tabled.

62. **The Town Council will consider removing the fee waiver language for Prepared Food on Public Ways from Section 10-26 of the Business License Ordinance, and will take any appropriate action.**

Chair King said she would like to remove the waiver language from Section 10-26 of the "Prepared Food on Public Ways" Ordinance.

Councilor Watson moved, Councilor Daughtry seconded, to set a public hearing for May 19, 2008, to remove the fee waiver language from Section 10-26 of the Business License Ordinance. The motion carried with nine (9) yeas.

63. **The Town Council will receive an updated report from the Facilities Committee on the feasibility of using either Hawthorne or Longfellow Schools for Municipal purposes, and will take any appropriate action.**

Manager Gerrish said the Facilities Committee met and he asked Mr. Keck what it would take to do a study of Hawthorne and Longfellow Schools.

Assistant Manager Brown explained the two scenarios, looking at Longfellow School for municipal uses like People Plus/Teen Center and looking at Hawthorne School for either a Police Department or Town Hall. He went through the steps outlined in Mr. Keck's letter dated May 2, 2008. This will be about a three month project to get this level of detail. In a second letter, dated May 5, 2008, there was information on an estimated cost based on what is already known about the facilities. A more detailed analysis will take a few months or the Council can use information in the second letter as a baseline.

(A copy of the letters from Mr. Keck will be attached to the official minutes.)

Chair King said since it is on the late side, she does not want to make a decision tonight. The town already had all its programming needs done prior to this and they do not need to pay another architect to do this again. She wants a low expense quick look. She did not foresee a detailed study from the start, and does not want to expend funds to do this.

Manager Gerrish said the town does have that information from three years ago.

Councilor Favreau asked that the Facilities Committee receive copies of that.

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Councilor Webb said, looking at Longfellow School, it will not be a police station; they are trying to find a community use with minimal renovation. The town can focus on Hawthorne School for municipal uses and use available information to see what it would cost for a new building and compare it to the cost of renovation.

Manager Gerrish said there is a cost to gather and provide this information.

Mr. Brown added they had received information on renovating Longfellow School for lesser uses, and he believed it was \$6 million as prepared already by PDT.

Councilor Webb moved to exclude Longfellow School to be used for town hall or a police station. There was no second.

Councilor Watson said the Facilities Committee already decided this could not happen.

Chair King asked this motion and discussion be taken up at the next meeting so it can be more public. PDT did a lot of this work already and she does not want to pay for it again.

64. The Town Council will consider appointments the Town's Boards and Committees, and will take any appropriate action. (Manager)

Councilor Daughtry made the following nominations:

- Kermit Smyth for the Conservation Commission and he received nine votes from the Council.
- David Knight for the Davis Fund and he received eight votes from the Council, with Councilor Knight abstaining since Mr. Knight is her husband.
- JoAnne Rush Peabody for the Davis Fund and she received nine votes from the Council.
- Alexander Anesko and Alicia Heyburn to the Recycling and Sustainability Committee and they each received nine votes of the Council.
- Alphonso Ripa to Trust Fund Advisory Committee and he received nine votes of the Council.

Councilor Favreau nominated the following people to the Downtown Master Plan Committee:

- Cathy Barter, John Gerard, Robert Jarratt, Claudia Knox, Stephen Tibbetts, Art Boulay, and JoAnne Peabody. They each received eight votes of the Council, with Councilor Daughtry abstaining since her husband is one of the nominees.
- Delwin Wilson as the Bowdoin College representative and he received nine votes of the Council.
- Emily Swan as the Village Review Board representative and she received nine votes of the Council

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Consent Agenda:

- (a) Extended Hours for Registrar**
- (b) Appointment of Wardens/Deputy Wardens**
- (c) Approve Minutes of April 22, 2008 Meeting**
- (d) Approve Minutes of February 20, 2008 Meeting**

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

(A copy of list of election workers will be attached to the official minutes.)

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

The meeting adjourned at 8:50 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
July 14, 2008*

July 21, 2008

Date of Approval

Council Chair