

--APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
December 1, 2008
7:00 p.m.
Municipal Meeting Facility

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; Clark Labbe, Fire Chief; Amanda Similien, Economic Development Specialist ; and the TV video crew.

Public Comment:

Louise Rosen, 16 High Street, talked about the vote of the Planning Board, voiced concerns that current folks are not supporting the Grow Smart Maine report and questioned why Brunswick was not a member. She felt it was important to have full-day kindergarten and more child care, along with public transportation, if the town wishes to attract more people. She had concerns the Walgreens would shut down downtown businesses. She had concerns that the town's study is being used by a person to develop property on Route One. The other jewels of the town are its waterfront and tourism. The town should focus on the internet and if it had the best in New England this could help businesses come here. There are planning and facilitation grants for moving forward on public transportation. If visitors and train travelers can use a covered garage to park and use shuttles this will help. She and her neighbors are considering a vote of no confidence in their representation.

Correspondence:

Mr. Brown reviewed a letter from the State Planning Board. The Comprehensive Plan is consistent with the rules. There is the question if the BNAS reuse plan needs to be reviewed by the state. When talking to the state, there was a mixed response, with one saying it was a contradiction and other saying it was not. The point staff is trying to drive home is the Comprehensive Plan is general and the zoning ordinance is specific.

Chair King said she sees the letter as saying the town has a good plan and to keep moving on it, but keep them informed.

Mr. Brown said the town does not have to submit the zoning in the reuse area, but they are concerned with the possibility of issues in the future.

Councilor Webb asked the state to give the town a clarifying letter saying the town does not have to include the reuse plan.

Adjustments to the Agenda:

Councilor Klatt said she is sponsoring items and asked to table Item 180 until next meeting.

Councilor Klatt moved, Councilor Daughtry seconded, to table Item 180. The motion carried with nine (9) yeas.

Councilor Watson said, regarding item 179, information was received late so he would like to table the item until the next meeting.

Councilor Klatt said she is sorry the information was late, and it was not a lot of information, but she would like to present it even if no action is taken.

Councilor Watson moved, Councilor Favreau seconded, to table the item. The motion carried with nine (9) yeas.

MANAGER'S REPORT:

(a) Financial Update

Manager Gerrish said that at the end of November, on the revenue side, excise tax is down \$40,000 but there were less days of collection this year than last year. The town is expecting to be \$30,000 short for the year. State revenue sharing is higher this year, but he does not expect that to continue, so the town hopes to make the \$2 million amount. Building permits are at \$45,000, last year at this time at \$66,000, so he is concerned about this amount. Ambulances fees should hit the budgeted amount and interest on money will be short \$75,000 to \$100,000. On the expenditure side, worker compensation should be having a savings of \$30,000, along with health and other insurances saving \$30,000 to \$40,000. The state has sent notice that the school department is going to get \$475,000 less in funds and the school department hopes to find it with savings. If there are further cuts, they will be back to the Council.

Councilor Favreau asked about the proposed ballot question on excise tax. Manager Gerrish said the Legislature can pass it or put it out to referendum. If it passes, the town would lose half of its excise tax. The issue is the timing of this, of when it goes into effect.

(b) Council Committee Updates

Councilor Knight said the Maine Street Station Committee will be meeting December 10, and the Downtown Master Plan will be meeting on December 4. The Planning Board will take up the Gateway issue on Tuesday.

Councilor Watson said the Old High School Farewell Committee had its Memory Night. The Committee on Committees met last Tuesday and it will provide a report to the Council tonight, but have a formal presentation at the next meeting.

(c) Council Retreat

Manager Gerrish said based on feedback from the Council, the retreat will be on Saturday, January 10, 2009, at Bowdoin College, from 9:00 a.m. to 2:00 p.m.

(d) Workshop with BEDC

Manager Gerrish said this is a reminder of the joint workshop between the Council and the BEDC, which is scheduled for Thursday, December 11, 2008, at 7:00 p.m. in the Council Chambers.

Councilor Augur said he wanted to hold some time on Dec 18th if the Council wants to have a follow-up meeting with other communities and what they have done.

Councilor Webb said he had been in touch with other communities like Freeport and Portland, and the Council may want to have other towns come also. He just wants to be able to give those folks a chance to have the time reserved.

Chair King said she is concerned about having it the week before Christmas. She will support a January date and the former Councilors can participate. The Council gets criticized when they do this around the holidays.

Councilor Tucker understands the Chair's concerns, but he would like to have the meeting in December to include Councilor Augur and Councilor Webb.

Councilor Klatt said she would support this to allow the two Councilors to be there.

Councilor Watson could support the December 18, although he would not prefer it. He wanted to make sure there was enough notice to the public.

Councilor Knight said she had constituents express concern meeting around the holiday. Plus she is concerned about having the meeting on December 18, since no action could take place until January at the second meeting.

Councilor Daughtry agrees with concerns about timing issues, but because there are two Councilors leaving, and since they want to put their input while on the table, she will support having this meeting.

The Council discussed whether to a make the final decision on December 18 now, or after the December 11 meeting. It was decided to set the date now.

(e) Manager's Retirement Reception

Mr. Brown said this is a reminder that the Council will be holding a public reception for Manager Gerrish on Monday, December 8, from 6:00 p.m. to 8:00 p.m. at the High School Cafeteria.

(f) Report on Times Record and Thomas Point Road Properties

Mr. Brown said since last time he has drafted some information on making the process as quick as possible, and asked if it fit with what the Council wanted to do. If someone is not okay with the bid, the town can work with the Council subcommittee and talk with bidders to negotiate a higher price. Councilor Favreau and Councilor Klatt are subcommittee members and this will be brought back to the full Council for the final decision.

(g) Acceptance of Maine Emergency Management Grant

Chief Labbe said the Fire Department has been awarded this grant in the amount of \$7,380.00 to be used to improve interoperable communications capabilities across the state.

(A copy of the letter from Maine Emergency Management Agency will be attached to the official minutes.)

Councilor Watson moved, Councilor Daughtry seconded, to accept and expend a Maine Emergency Management Grant in the amount of \$7,380.00 to be used to improve interoperable communications capabilities across the State of Maine. The motion carried with nine (9) yeas.

(h) ADDED report on GMH Housing

Mr. Brown said they will be marketing all the units they have and will begin in January. This could be very significant to the town. They will be testing the market. The town currently gets \$650,000 for public safety coverage and this will affect the budget if it is lost. Manager Gerrish added that they will be marketing as rental units. Mr. Brown continued, saying they do the waterfall process with navy personnel, then to reservists, federal employees and military retirees. In Brunswick there are 600 units, but some will not be included, so around 575 units. It does not affect property taxes since the navy owns the property underneath the units.

Councilor Webb was concerned about renting the units as private homes but not being able to tax them since the land is owned by the Navy.

Manager Gerrish said the issue of taxing needs to be worked out.

Councilor Favreau asked if the land will be conveyed by 2011, and Mr. Brown responded it will be done in pieces, including the housing, and he does not think it will be by 2011.

174. The Town Council will hear public comments on amendments to Chapter 12 (Personnel Policy) of the Code of Ordinances relative to providing health insurance benefits to domestic partners, and will take any appropriate action.

Mr. Brown said this item is to hold a public hearing for the ordinance amendment that will allow for domestic partners of employees to be covered under the town's health insurance. There are specific requirements that have to be met.

Councilor Knight asked if there were to be a change in insurance carriers and the town defines domestic partner under the ordinance, could the town make the new company include it.

Manager Gerrish said if the town ever changes insurance carriers, it could require the new insurance company to cover or change the language to include the current definition.

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

Councilor Watson moved, Councilor Webb seconded, to adopt amendments to Chapter 12 (Personnel Policy) of the Code of Ordinances relative to providing health insurance benefits to domestic partners. The motion carried with nine (9) yeas.

175. The Town Council will hear public comments on amendments to Chapter 15 (Traffic and Vehicles) of the Code of Ordinances relative to extending No Parking on a section of Harpswell Road from Garrison Street to Hambleton Avenue, and will take any appropriate action.

Manager Gerrish said this item is to hold a public hearing on ordinance changes that will extend the current no parking area on Harpswell Road from Garrison Street to Hambleton Avenue. The Police are proposing this change due to the opening of the new Bowdoin College soccer field and arena on Harpswell Road. The facilities are beginning to be used, with parking spilling out onto Harpswell Road; the Police will be enacting this on an emergency basis under their authority until the Council takes formal action.

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

Councilor Watson moved, Councilor Daughtry seconded, to adopt amendments to Chapter 15 (Traffic and Vehicles) of the Code of Ordinances relative to extending No Parking on a section of Harpswell Road from Garrison Street to Hambleton Avenue. The motion carried with nine (9) yeas.

176. The Town Council will hear public comments regarding a Community Planning Grant for the Northwest Brunswick Neighborhood, and will take any appropriate action.

Amanda Similien, Economic Development Specialist, said a Community Planning Grant from the Office of Community Development was received in the amount of \$10,000.00 for the Northwest Brunswick Neighborhood area. There is a required match of \$1,000.00, but this will be funded by Key Bank. There needs to be a committee and a charette type process as a way to show the area. They hope to bring in some traffic engineers and other experts.

Councilor Knight said on behalf of Anne Marr, the Northwest Brunswick Neighborhood group is very excited about this project.

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

Councilor Favreau moved, Councilor Knight seconded, to accept and expend a Community Planning Grant in the amount of \$10,000.00 for the Northwest Brunswick Neighborhood. The motion carried with nine (9) yeas.

177. The Town Council will hear public comments regarding the Town of Brunswick acting as a pass through for a Special Projects Grant for Tedford Housing, and will take any appropriate action.

John Hodge, Brunswick Housing Authority, said the property is owned by the Brunswick Housing Authority and is leased to Tedford Housing. The grant will be used to replace sills, windows and siding. They cannot make an application unless the town acts as a pass through.

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

Councilor Favreau moved, Councilor Watson seconded, to allow the Town to act as a pass through on behalf of Tedford Housing for a Special Projects' grant in the amount of \$125,000 for 34 Federal Street, to do repairs and insulation. The motion carried with nine (9) yeas.

178. The Town Council will consider hiring Bennett Yarger to conduct the search for the new Town Manager, and will take any appropriate action.

Chair King said after interviewing several firms it was the consensus of the Council to hire Bennett Yarger Associates to conduct the search for the new Town Manager. She and the Vice Chair have checked references and are satisfied with them. Bennett Yarger also agreed to a two year guarantee.

Manager Gerrish said the cost is \$16,000 for the consultant and there are additional costs for advertising, so that is why the Resolution is for \$25,000.

Councilor Watson moved, Councilor Daughtry seconded, to hire Bennett Yarger Associates to conduct the search for the new Town Manager as outlined in their proposal and to adopt a Resolution for an Emergency Appropriation of \$25,000 from Unappropriated Available General Fund Revenues for the Recruitment and Other Costs Related to the Hiring of a New Town Manager. The motion carried with nine (9) yeas.

(A copy of the adopted resolution and proposal from Bennett Yarger will be attached to the official minutes.)

- 179. The Town Council will discuss making a Budget Committee with an immediate start date, and will take any appropriate action.**

This item had been tabled.

- 180. The Town Council will discuss the process, procedure, and content of the financial update presented at our meetings, and will take any appropriate action.**

This item had been tabled.

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

Councilor Daughtry presented nominations:

Michael Olivo for the Board of Assessment Review, and he was supported unanimously.

Charles Frizzle for the People Plus Board of Trustees, and he was supported unanimously.

Bruce Goodman for the Teen Center Board of Trustees, and he was supported unanimously.

Dale King for the Personnel Board, and he was supported unanimously, except Chair King abstained from the vote as he is her husband.

Ann Vincent for the Personnel Board, and she was supported unanimously.

Pamelia Edgerton and Susan Welch for the Recycling & Sustainability Committee, and they were supported unanimously.

Brook Stoddard for the Village Review Board, and he was supported unanimously.

CONSENT AGENDA:

- (a) Games of Chance for Brunswick Lodge of Elks

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

Executive Session: Discussion of Labor Negotiations as per M.R.S.A. §405(6)(D) and Personnel Matter as per M.R.S.A. §405(6)(A)

Councilor Daughtry moved, Councilor Tucker seconded, to go into Executive Session to discuss Labor Negotiations per M.R.S.A. §405(6)(D) and a Personnel Matter per M.R.S.A. §405(6)(A). The motion carried with nine (9) yeas.

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

The meeting adjourned after the Executive Session.

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 8, 2008

December 15, 2008

Date of Approval

Council Chair