

**-- APPROVED --**  
**BRUNSWICK TOWN COUNCIL MINUTES**  
**June 21, 2004**  
**7:30 p.m.**  
**Municipal Meeting Facility**

**7:15 p.m. Executive Session:           Acquisition of Property**

**Councilor Desmarais moved, Councilor Priest seconded, to go into Executive Session to discuss the acquisition of property. The motion carried with seven (7) yeas.**

**7:30 P.M.**                   Chair Lowe called the meeting to order and asked for the Pledge to the Flag.

**Councilors Present:** Chair Forrest Lowe, W. David Watson, Jacqueline A. Sartoris, Douglas A. Rice, Charles R. Priest, Barbara A. Desmarais, and Joanne T. King. Councilor Stephen H. McCausland arrived after the roll call.

**Councilors Absent:**   Councilor Robert A. Galloupe.

**Town Staff Present:** Patricia Harrington, Assistant Town Manager; Fran Smith, Town Clerk; Mathew Eddy, Director of Economic Development; Jerry Hinton, Police Chief; John Foster, Public Works Director; Theo Holtwijk, Director of Planning and Development; Tom Farrell, Director of Parks and Recreation; Steve Balboni, Deputy Director of Parks and Recreation; and Clark Labbe, Deputy Fire Chief; and the TV video crew.

**Minutes of Previous Meetings:       June 3, 2004**

Hearing no objection from the Council, Chair Lowe declared the minutes of June 3, 2004, accepted as written.

**Public Comment:**

**Leo Theberge**, Old Portland Road, spoke about how the substation would be able to assist West Bath, and how at some locations, Bath could respond to fires in East Brunswick faster than the substation. He also suggested the consolidation of municipal services into the old high school.

**Correspondence:**

Councilor Desmarais reminded citizens about the meeting to discuss pedestrian issues in Brunswick, which will be held on Wednesday, June 23, at 7:00 p.m.

**Town Council Minutes**

**June 21, 2004**

**Page 2**

Councilor Watson congratulated the Brunswick High School debate team for winning the state championship.

**Manager's Report:**

**a) Update on Excursion Train to Brunswick**

Mat Eddy, Director of Economic Development, gave this update. There is a possibility that an excursion train will stop in Brunswick, starting in August. The town is working with MDOT for the best short-term location for passenger pick up. There is a possibility there will be a number of runs between Brunswick and Rockland.

**b) Year-end Meeting, Monday, June 28**

Patricia Harrington, Assistant Town Manager, said the Council will be tentatively scheduled to meet on Monday, June 28 at 5:00 p.m. on year end items.

**c) Update on Sidewalk Construction/Reconstruction**

John Foster, Public Works Director, gave this update.

*(A copy of Mr. Foster's memo outlining the sidewalk inventory and work plan will be attached to the official minutes.)*

Councilor Priest asked where the new constructions will be for this year and next.

Mr. Foster said that the town will go by the list and see how much they can get done. Columbia and Barrows Avenues will be the sites for newly constructed sidewalks.

Councilor Sartoris asked about the Mere Point Road repairs and when they will actually be done, and asked about the shoulder issue there.

Mr. Foster answered that the combined sidewalk and shoulder paving will be done when he can schedule both projects at the same time and when they get enough funding. Mr. Foster said the shoulder is a minor repair, which will be done.

Councilor Watson asked about any need for upgrades near or around the walking bridge.

Mr. Foster said the town may wish to apply for additional enhancement funds to assist with this. The town has identified all of Mill Street as one needing improvements.

**d) Update on EPA Brownfield Grant**

Mr. Eddy updated the Council on this grant. The town was awarded the EPA Brownfield Grant for one hundred fifty thousand dollars (\$150,000). The funds will be used to study the Maine Street Station site, looking at issues like coal ash. The program will be done in

**Town Council Minutes**

**June 21, 2004**

**Page 3**

different phases, which will begin with a steering committee and an RFP for a design team.

**e) Healthy Communities Grant Request**

Ms. Harrington said the Recreation Department will be applying for the Healthy Communities grant program to establish integrated pest management demonstration sites at three (3) of the town's public athletic field locations. The total amount of the grant is three thousand one hundred dollars (\$3,100). There is no Council action required at this time.

*(A copy of the letter explaining proposed uses for this grant will be attached to the official minutes.)*

**f) MMA Legislative Policy Committee**

Chair Lowe, without objection, nominated Councilor Galloupe to serve on the MMA Legislative Policy Committee.

**g) Cash Donation from Down East Energy**

Ms. Harrington said Downeast Energy has graciously donated two thousand dollars (\$2,000) for the town to purchase new trash receptacles for the Mall. The Council will need to formally accept this gift.

**Councilor Sartoris moved, Councilor Watson seconded, to accept and to expend a donation from Downeast Energy in the amount of two thousand dollars (\$2,000) to purchase trash receptacles for the Mall. The motion carried with eight (8) yeas.**

**h) (Added) Teen Center at Fifty-Five Plus.**

**Jordan Cardone** spoke in support of the teen program to be held at the Fifty-Five Plus Center. She spoke on the process to get the teen center developed. The group sees it as a mini multi-generational center. She thanked Councilor Sartoris, Council Desmarais, and the town staff for their work to make it happen. They are looking for adult volunteers to be at the center while the teens are there. Plus, they need more teen volunteers to help and they will be doing fund raising events over the summer. Donations can go to the Fifty-Five Plus, noting "teen" on it.

**Kendra Donahue**, Hennessy Ave, a teen who has been involved in the project, read a draft mission statement and list of rules for the center. She invited other teens to become involved.

**Sig Knudsen**, Fifty Five Plus Center Executive Director, spoke in support of the teen center and its value to the community and the Fifty-Five Plus members.

**Town Council Minutes**

**June 21, 2004**

**Page 4**

Councilor Sartoris thanked the town staff, especially Tom Farrell, for their help. This is going to be a great center and she urged support for the teen center in the form of donations. She also thanked all the people involved in the process.

Chair Lowe thanked Councilor Sartoris, Councilor Desmarais, Tom Farrell, and others for their help with this project.

**Adjustment to Agenda:** None

- 105. The Town Council will hear public comments on the following requests for Food Service Licenses and will take any appropriate action.**

**Food Service Establishment with Malt and Vinous**

**Ming Court Buffet, Inc. d/b/a Ming Court  
112 Pleasant Street**

**Ming Guo**

**The Corner Pocket, Inc. d/b/a Jesse's Corner Pocket  
4 Pleasant Street**

**Jesus Laurelez**

**Food Service Establishment with Mobile Carts, Takeout, Catering**

**Hoyts Cinema Corporation d/b/a Regal Brunswick 10  
19 Gurnet Road**

**Hoyts Cinema Corporation**

**Food Service Establishment with No Alcohol/Sit-down  
Matthew Blake d/b/a Little Lad's Basket Bakery and Cafe  
25 Mill Street**

**Matthew Blake**

Chair Lowe opened the public hearing; hearing no comments, he closed the public hearing.

**Councilor Priest moved, Councilor Sartoris seconded, to approve the applications for Food Service Establishment Licenses from Ming Court, Jesse's Corner Pocket, Regal Brunswick 10, and Little Lad's Basket Bakery and Café. The motion carried with eight (8) yeas.**

*(A copy of the public hearing notice will be attached to the official minutes.)*

- 106. The Town Council will hear public comments on the proposed amendment to the Zoning Ordinance regarding impervious surfaces for municipal facilities and will take any appropriate action.**

Theo Holtwijk, Director of Planning and Development, explained the amendments that would allow for municipal facilities to be subject to a maximum impervious surface coverage limit of fifteen percent (15%). The Planning Board has reviewed and recommends the change.

**Town Council Minutes**

**June 21, 2004**

**Page 5**

Councilor Priest asked why the change was written “municipal facilities” - not “high school” or “school use”.

Mr. Holtwijk said the Planning Board felt this was the easiest way to amend the ordinance and it is more restrictive in the Coastal Protection Zones than other locations. The boat ramp issue has been addressed under marine uses.

Chair Lowe opened the public hearing; hearing no comments, he closed the public hearing.

Councilor Priest said he does not want to expand the exceptions so he would like to restrict the use to “school” type language.

Chair Lowe said he would be concerned with the change if it was not already defined.

Dave Burnett, School Department, said they want to do the parking lot project this summer once they have Council and DEP approvals. He explained what the additional parking would look like.

**Councilor Priest moved, Councilor Desmarais seconded, to amend the proposed language to change “municipal facility” to “public schools”, and to adopt the amended Zoning Ordinance amendments for imperious surfaces for public school on an emergency and regular basis. The motion carried with eight (8) yeas.**

*(A copy of the public hearing notice and the approved language will be attached to the official minutes.)*

**107. The Town Council will hear public comments on the proposed amendment to the Traffic Ordinance regarding bus stops on Maine Street and will take any appropriate action.**

Chief Hinton explained the change to allow for a bus stop on Maine Street near Potter Street. The bus stop will be used only a few times in the summer for buses stopping at the Joshua Chamberlain Museum. He expressed the concern of Potter Street residents about problems with the parking spots in front of the museum – not with the bus stop location.

Chair Lowe opened the public hearing; hearing no comments, he closed the public hearing.

**Councilor McCausland moved, Councilor King seconded, to approve the amendments to the Traffic Ordinance regarding a bus stop on Maine Street on an emergency and regular basis. The motion carried with eight (8) yeas.**

*(A copy of the public hearing notice and adopted language will be attached to the official minutes.)*

- 108. The Town Council will receive public input on possible locations for a Central Fire Station and will take any appropriate action.**

Chair Lowe asked for public comments for possible sites for a central fire station that have not been discussed.

**Leo Theberge**, Old Portland Road, said the station should be located to help the West Brunswick residents. He proposed the Baribeau Drive end of the Crimmins Field, which the town owns, or the CD wing of old high school. The town could also put the police station, along with town offices, at the old high school. This would save on operational expenses and debt service from not having to purchase properties.

- 109. The Town Council will consider a request from Lowe's for a TIF/Credit Enhancement and will take any appropriate action.**

Mr. Eddy said Lowe's came to the town six (6) months ago to discuss applying for a TIF. A TIF for a retail business is rare in New England. The staff has asked the Council to turn this down for that reason; in addition, the town has been assisting with traffic improvements and working to complete the permitting process in a timely manner. There will likely be other areas that a TIF may be more vital to do for a "tougher" project.

**Councilor Sartoris moved, Councilor McCausland seconded, to deny Lowe's request for a TIF, but to welcome Lowe's to Brunswick. The motion carried with eight (8) yeas.**

- 110. The Town Council will consider a Resolution to fund the purchase of 3.57 acres of land from George and Duane Peck, as previously approved by the Council and will take any appropriate action.**

Ms. Harrington said this item will appropriate funds to purchase the 3.57 acres from the Pecks on Middle Bay Road. Council has already approved the purchase, but this item will appropriate the money from the Undesignated Fund Balance. The Friends of the Commons raised fifty thousand dollars (\$50,000) more than their goal of one hundred fifty thousand dollars (\$150,000) and the extra is being used to purchase the property.

**Councilor Watson moved, Councilor Sartoris seconded, to adopt the Resolution Authorizing the Purchase of Real Property Off Middle Bay Road and an Emergency Appropriation of up to \$50,000 from Unappropriated Available General Fund Revenues for the Purpose of Acquiring the Property. The motion carried with eight (8) yeas.**

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

- 111. The Town Council will consider a request to amend the Zoning Ordinance to allow for Mobile Homes for Disabled Persons on Individual Lots and will take any appropriate action.**

**Town Council Minutes**

**June 21, 2004**

**Page 7**

Councilor Sartoris said this request will be sent to the Planning Board for review. It is responding to a citizen's concerns regarding the current mobile home ordinance. The amendment is very limited and will allow someone with a disability to put a mobile home on property the person already owns. There had been an ordinance change a while back that prohibited mobile homes in this area.

Councilor Rice said this may fix a problem for someone now, but is concerned with the precedent for the property going forward.

Councilor Sartoris said the condition would expire or "sunset" at the time the property was sold so it does not go with the property.

**Councilor Sartoris moved, Councilor Watson seconded, to send the proposed amendment regarding mobile homes to the Planning Board for their review. The motion carried with eight (8) yeas.**

**112. The Town Council will consider supporting an application for a Regional Open Space Planning Grant, and will take any appropriate action.**

Councilor Desmarais explained why the Council should support this grant for the region.

*(A copy of Councilor Desmarais' memo will be attached to the official minutes.)*

**Councilor Priest moved, Councilor Rice seconded, to provide a letter of support for the application for a Regional Open Space Planning Grant and a commitment of a five thousand dollars (\$5,000) match if the grant is approved. The motion carried with eight (8) yeas.**

**113. The Town Council will consider a utility location permit request from SusCom to install underground fiber optic cable, and will take any appropriate action.**

Ms. Harrington said John Foster is recommending the approval of this request from SusCom for the utility location permit.

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

Councilor Desmarais and Councilor Rice recused themselves from this item since through their jobs they do work for SusCom.

Doug Rice, representing SusCom, explained how the chosen route will cause the least distractions and problems for vehicle travel. With the base entrance closed, this is the best time to do this construction.

**Councilor McCausland moved, Councilor Priest seconded, to approve a utility location permit request from SusCom to install underground fiber optic cable on**

**Jordan Avenue and Bath Road with the restrictions stated in Mr. Foster's memo. The motion carried with six (6) yeas.**

114. The Town Council will consider the six month Bingo licenses and will take any appropriate action.

**Councilor Sartoris moved, Councilor Desmarais seconded, to approve requests for six month licenses for Beano and Games of Chance for the Brunswick Elks Lodge, Knight of Columbus, and Evergreen Senior Citizens Club. The motion carried with six (6) yeas. Councilors Rice and King were not present for this vote.**

115. The Town Council will consider two banner requests and will also review the policy regarding banners, and will take any appropriate action.

Ms. Harrington said this item will approve two requests to hang banners over Maine Street. The town is also recommending that the Council consider authorizing staff to approve these requests based on the Council adopted guidelines. A suggested wording would be that the "Manager or Manager's designee may approve the request".

**Councilor McCausland moved, Councilor Priest seconded, to approve a banner request for the Saltwater Music Festival and from Designing Women, and to approve the change to the banner guidelines, authorizing the Town Manager or his designee to approve future requests. The motion carried with eight (8) yeas.**

116. The Town Council will consider appointments to the Davis Fund Committee and will take any appropriate action.

There were three highly qualified applicants for two positions on the Davis Fund Committee.

Councilor Desmarais nominated Lois Widmer.

Councilor Rice nominated Judy Warren.

Councilor Sartoris nominated Eleanor Brown.

There were votes made on each nomination with each Councilor having two votes each.

Ms. Widmer received votes from Councilors Sartoris, Rice, Lowe, Desmarais, King, and McCausland.

Ms. Warren received votes from all eight (8) Councilors present.

Since the two above received the majority of votes, there was no need to have a vote for Ms. Brown. Therefore, Judy Warren and Lois Widmer were appointed to serve on the Davis Fund Committee.

**Town Council Minutes**

**June 21, 2004**

**Page 9**

**Councilor Sartoris moved, Councilor Watson seconded, to adjourn the meeting.  
The motion carried with eight (8) yeas.**

The meeting adjourned at 9:30 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*

*June 25, 2004*

**July 6, 2004**

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*Date of Approval*

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*Council Chair*