

APPROVED
BRUNSWICK TOWN COUNCIL MINUTES
March 1, 2004
7:30 p.m.
Municipal Meeting Facility

**6:30 P.M. Executive Session – Acquisition of Property
Request for Poverty Tax Abatement**

Councilor Rice moved, Councilor Priest seconded, to go into executive session to discuss acquisition of property and a request for poverty tax abatement. The motion carried with seven (7) yeas. Councilor Sartoris and Councilor McCausland arrived after the vote.

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

Councilors Present: W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Charles R. Priest, Barbara A. Desmarais, Forrest Lowe, Joanne T. King, Stephen H. McCausland.

Councilors Absent: None.

Others Present: Donald Gerrish, Town Manager; Patricia Harrington, Assistant Town Manager; Elin M. Gould, Acting Town Clerk; Mat Eddy, Economic Development Director; Jerry Hinton, Police Chief; Terry Goan, Community Policing Officer; Mike Robitaille, Deputy Fire Chief; Tom Farrell, Director of Parks and Recreation; several citizens, members of the press, and the TV video crew.

Minutes of Previous Meeting: February 17, 2004

Hearing no objection, Chair Lowe declared the minutes of February 17, 2004 approved as written.

Public Comment:

Liz Pierson, Brunswick, talked about the LNG facility proposed for Harpswell and its effect on Brunswick.

Pem Schaeffer, Crestview Ln., spoke about the MMA tax initiative.

Peter Brand, Bunganuc Rd., spoke against the tree removal at the Town Commons to protect the pitch pine heath barrens.

Correspondence:

Manager Gerrish announced that the Council received a letter of resignation from Katherine C. Schmidt of the 55+ Center Board of Trustees. Manager Gerrish thanked Ms. Schmidt for her service and said the position will be advertised.

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

Manager's Report: (Taken out of order)

1) Financial Update

Manager Gerrish reported that excise tax collection continues to be ahead of what was projected and State Revenue Sharing is right on target. Other revenues are in good shape, as well. On the expenditure side, most accounts are in good shape.

2) Grant Approvals:

Forestry Volunteer Fire Assistance

Deputy Chief Robitaille said the Fire Department received a grant in the amount of one thousand dollars (\$1,000) to be used for forestry equipment.

Councilor Rice moved, Councilor Watson seconded, to accept and expend the Forestry Volunteer Fire Assistance grant funds. The motion carried with nine (9) yeas.

Recreation Department Tennis Program

Tom Farrell, Director of Parks and Recreation, announced that a grant in the amount of two thousand four hundred fifty dollars (\$2450) was received to hire a certified tennis professional for the Recreation Department Tennis Program.

Councilor Sartoris moved, Councilor Watson seconded, to accept and expend the Tennis Program grant funds. The motion carried with nine (9) yeas.

(A copy of correspondence regarding the grant will be attached to the official minutes.)

Manager Gerrish said a grant was received for three (3) portable defibrillators and hopefully, another grant will be received to obtain enough to put one (1) in all police cars and fire equipment.

3) Introduction of New Police Officers

Chief Hinton introduced Paul Hansen, who joined the Department in April 2002 and had previously been employed by the U.S. Marshall Service in Portland; and Rich Cutliffe,

who joined the Department in July 2003, having previously worked in the Waterville and Orlando, FL Police Departments.

4) Recognition of Award: Community Relations Officer

Chief Hinton recognized and congratulated Officer Terry Goan, a fourteen (14) year veteran of law enforcement, for receiving the Community Policing Award from the Maine Chiefs of Police Association. Chief Hinton spoke highly of Officer Goan's many achievements during the past six (6) years with the Brunswick Police Department.

Officer Goan thanked the Police Department administration and the Council for funding and supporting the Community Policing program.

(A copy of the letter from the Maine Chiefs of Police Association will be attached to the official minutes.)

5) Update: Shriner's Parade

Walter Longley, representing the Shriners, announced that there will be a three (3) day event in the area, highlighted by a parade on Saturday, June 12th at 10:00 a.m. The parade will start at the Topsham Fairgrounds and end at Park Row in Brunswick. Two thousand (2000) to three thousand (3000) spectators are expected. Five hundred (500) Shriners and their families are expected to be registered for the weekend, being housed in area hotels as well as at the Topsham Fairgrounds, where one hundred (100) campers, motor homes and tents are expected to stay.

Manager Gerrish said that the Public Works Department, Fire Department, Police Department and the Brunswick Downtown Association have all been involved in the planning and preparation for this event. Costs incurred by the Town for this event will be borne by the Shriners.

(A copy of Police Dept. memos will be attached to the official minutes.)

6) Update: Tax Reform Referendum

Manager Gerrish explained the impact of the proposed tax cap, which will appear on either the June or November 2004 ballot. The Town of Brunswick raises approximately twenty five million dollars (\$25,000,000) each year through property taxes. Under the proposed tax cap, only twelve million dollars (\$12,000,000) to thirteen million dollars (\$13,000,000) could be raised. Responding to Councilor McCausland's question, he said the effect would be dramatic, on both the municipal and school sides. Drastic measures would have to be taken, with a need to look at services being curtailed and the imposition of user fees.

Councilor Sartoris asked what could be done from here. She suggested holding a workshop on the subject.

Manager Gerrish said the tax issue is still being contemplated at the State level, with the possibility of a competing measure being brought forth. He thought that workshops and open forums would be necessary to adequately inform the public, however, it is still not clear when the measure will appear on the ballot and what other proposals may be offered. He has invited Brunswick's State Representatives to the next Council meeting to address the issue.

Chair Lowe thought this was a good first start and Councilor Watson expressed enthusiasm for the workshops.

(A copy of an impact assessment from MMA will be attached to the official minutes.)

7) Grant Application: EPA Brownfield Grant

Mat Eddy, Director of Economic Development, said that a grant is being applied for to do a soils analysis for the Maine St. station property and master planning that will include surrounding properties.

Manager Gerrish said this is a great opportunity and that Mr. Eddy has been successful in obtaining this type of grant in the past. It will come back to the Council for consideration if the Town is awarded the grant.

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

8) Update: LNG Facility Project

Manager Gerrish cited concerns if the LNG project in Harpswell goes forward. He said that traffic on Route 123, environmental issues in the bay, noise, lights, and bay access, are issues that concern Brunswick. He said there are three (3) alternatives for the pipeline currently under consideration, two (2) going through the bay, and the third (3rd) going up Route 123 through Brunswick, to the Yarmouth area. The overland route is not the preferred choice of the perspective lessee. Manager Gerrish also said that if the referendum passes in Harpswell allowing the LNG facility to go forward, the Town of Brunswick should seek intervener status, in order to become active in the discussion of permitting and allow Brunswick's concerns to be heard.

Several of the Councilors said they have received input from Brunswick residents regarding this issue. There is a sense of frustration as Brunswick has no say in the matter and impact on Brunswick is unclear. Brunswick will have to wait until the vote in Harpswell has taken place and then ensure it has an active role so that whatever happens is advantageous to Brunswick.

Councilor Rice pointed out that the impact of the overland pipeline route would affect nearly every district in Brunswick.

9) (Added) Tax Acquired Property

Manager Gerrish said the Town acquired fourteen (14) mobile home properties last week. He asked the Council's permission to allow the prior owners thirty (30) days to pay all the taxes owed and regain their property ownership. He said the Council has approved this type of request in the past.

Councilor Rice moved, Councilor Priest seconded, to approve the recommendation of the Town Manager to give prior owners of the recently tax acquired properties one month to pay all taxes owed and regain ownership of the properties. The motion carried with nine (9) yeas.

Adjustments to Agenda:

Manager Gerrish requested that item number forty (40) be added, to consider a poverty tax abatement.

Without objection, item number forty (40) was added.

31. The Town Council will hear public comments on the following request for an Alcoholic Beverage License and will take any appropriate action.

Full-time Vinous, Malt and Spirituous

Knights of Columbus
2 Columbus Drive

Antoine Coulombe

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

Staff recommended approval.

Councilor Sartoris moved, Councilor Priest seconded, to approve the Alcoholic Beverage License for Knights of Columbus. The motion carried with nine (9) yeas.

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

32. The Town Council will hear public comments on the following request for a Special Amusement License renewal and will take any appropriate action.

Knights of Columbus
2 Columbus Drive

Antoine Coulombe

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

Staff recommended approval.

Councilor Priest moved, Councilor Watson seconded, to approve the Special Amusement License renewal for the Knights of Columbus. The motion carried with nine (9) yeas.

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

33. The Town Council will hear public comments on a proposed amendment to Ordinance 15, Traffic and Vehicles, regarding permit parking. If approved, this amendment will be enacted on an emergency and regular basis.

Police Chief Hinton explained that this amendment would require permits for parking in leased spaces and allow for ticketing and towing of vehicles that do not have a permit displayed.

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

Councilor Sartoris moved, Councilor Watson seconded, to amend the Town of Brunswick Ordinance, Chapter 15, Traffic and Vehicles, regarding permit parking as presented, on an emergency and regular basis. The motion carried with nine (9) yeas.

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

34. The Town Council will consider approving applications for Sellers of Prepared Food on Public Ways (Brunswick Mall) and will take any appropriate action.

Manager Gerrish, acknowledging that the Council had wanted design guidelines in place, explained that the Village Review Board was the appropriate committee to address this issue, and he had not yet sent the charge on to them. Therefore, the same ordinance is in effect for this year. There are four (4) applicants, three (3) of them having been on the Mall before: Danny, DownEast, and Wrappers; and one (1) new applicant, Pop's Inc.

Councilor Sartoris said that she still wants the cost of the licenses assessed, as she thinks that Brunswick's fees are quite low. She would like it looked into separately from the design guidelines that are being discussed.

Councilor Priest reiterated his previous recommendation that the guidelines should be no more than one (1) page. He asked that the fee recommendations come back within a month or two (2).

Councilor Watson pointed out that the design guidelines also need to come back relatively quickly to allow the vendors adequate time to make any necessary changes.

Councilor Rice asked that the vendors be involved in the process and Manager Gerrish made assurances that the vendors would be notified of meetings.

Councilor King moved, Councilor Desmarais seconded, to approve the applications for Sellers of Prepared Foods on Public Ways (Brunswick Mall). The motion carried with nine (9) yeas.

(A copy of a memo from the Acting Town Clerk will be attached to the official minutes.)

35. The Town Council will consider signing the 2004 Municipal Warrant for Unlicensed Dogs and will take any appropriate action.

Acting Town Clerk Elin Gould explained that the dog warrant is an annual requirement of State Law in order to accomplish the licensing of all dogs in Brunswick, and that this year the warrant late fees have increased significantly.

Councilor Sartoris moved, Councilor Priest seconded, to approve and sign the 2004 Municipal Warrant for Unlicensed Dogs. The motion carried with nine (9) yeas.

(A copy of the Warrant and memo from the Acting Town Clerk will be attached to the official minutes.)

36. The Town council will consider a request for an abatement of 2001-02 Personal Property Tax and will take any appropriate action.

Councilor Desmarais moved, Councilor Priest seconded, to approve an abatement of personal property tax for the tax year 2001/02, as requested by the Assessor. The motion carried with nine (9) yeas.

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

37. The Town Council will consider the proposed Collective Bargaining Agreement with the Fire Department Union and will take any appropriate action.

Manager Gerrish recommended entering into this two (2) year agreement with the Firefighters union. The contract covers the period July 1, 2003 to June 30, 2005. It includes a two percent (2%) salary adjustment each year of the contract and longevity payments, as well as a one (1) time payment to buy dress overcoats. The agreement also

includes a health insurance buyback for those who pick up their coverage elsewhere. The fiscal impact will be eighty five thousand dollars (\$85,000) per year and this year's funds are in the budget.

Councilor Priest said he would abstain from voting on this item as he does fact finding work for the firefighters.

Councilor Watson moved, Councilor Sartoris seconded, to approve the two (2) year labor contract with the Brunswick Firefighters Benevolent Association. The motion carried with eight (8) yeas. Councilor Priest abstained.

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

38. The Town Council will consider the appointment of Economic Development Director Mathew Eddy to the MCBDP General Assembly, and will take any appropriate action.

Manager Gerrish said Brunswick has one (1) slot allocated that has not been filled. He recommended Mat Eddy be appointed to the position.

Councilor Sartoris moved, Councilor Watson seconded, to appoint Mathew Eddy to the General Assembly of MCBDP. The motion carried with nine (9) yeas.

39. The Town Council will consider appointments to the Town's Boards and Committees and will take any appropriate action.

Councilor Desmarais moved, Councilor Sartoris seconded, to appoint John Horan III to the Recreation Commission for a three (3) year term to expire 7/1/2006 and William Ginty to the Bicycle & Pedestrian Advisory Committee for no set term. The motion carried with nine (9) yeas.

40. (Added) The Town Council will consider a poverty tax abatement and take any appropriate action.

Councilor Lowe moved, Councilor King seconded, to approve the poverty tax abatement. The motion carried with eight (8) yeas. Opposed: McCausland.

Councilor McCausland noted the death of Harry Crooker, a successful local business man who passed away last week. He said Mr. Crooker was extremely generous to the Town of Brunswick.

Chair Lowe reminded everyone of a Council Workshop on Monday, March 8, 2004 at 7:00 p.m. regarding the CIP process.

Councilor Sartoris congratulated the teams from Jordan Acres, Longfellow and Coffin schools, as well as the Junior High and High School, who participated in the Destination Imagination tournament last weekend. She said that every team came away with an award and some are going to compete at the State finals in Orono in April.

Councilor Watson reported that the old Debate Team State Championship signs were found but are in need of repair. This will not be done until the championships for other sports and teams have been decided.

Councilor Priest moved, Councilor Watson 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 RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

*Elin M. Gould
Acting Town Clerk
March 4, 2004*

March 15, 2004

Date of Approval

Council Chair