

--Approved--
BRUNSWICK TOWN COUNCIL MINUTES
May 3, 2004
7:30 p.m.
Municipal Meeting Facility

6:30 p.m. Executive Session: Acquisition of Property/Selling of Property

Councilor Rice moved, Councilor Desmarais seconded, to go into executive session to discuss the acquisition of property and the selling of property. The motion carried with nine (9) yeas.

7:35 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, Deputy Town Clerk; John Eldridge, Finance Director; Mat Eddy, Economic Development Director; John Foster, Public Works Director; Theo Holtwijk, Director of Planning and Development; Steve Walker, Natural Resources Planner; several citizens, members of the press, and the TV video crew.

Minutes of Previous Meetings: April 20, 2004

Hearing no objection, Chair Lowe declared the minutes of April 20, 2004, approved as written.

Public Comment:

Mike Austin, 57 McKeen St, thanked the Council for their vote on the substation last Wednesday.

Pem Schaeffer, Crestview Lane, spoke about the possible shrinkage of the NAS and suggested that any decision on a new elementary school be put off until after the BRAC process is completed. He wanted the state school funding application process halted. In addition, he said the increase in the proposed 2004-2005 budget is unacceptable.

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Correspondence:

Councilor Sartoris said she had received a phone call about the school construction issue. She requested asking the School Board to schedule tours of the portable classrooms after the end of the school year.

Councilor Priest said he had occasion to go to the landfill over the weekend and was impressed with the politeness and helpfulness of the staff there.

Manager's Report:

a) Financial Update

Manager Gerrish said that revenues are in tremendous shape and will exceed expectations by two hundred thousand (\$200,000) to two hundred fifty thousand (\$250,000) dollars. He also reported that, on the expenditure side, there is one hundred thousand (\$100,000) dollars left in the winter maintenance budget and he expects to be very much in the black at the end of the fiscal year.

b) Report from Swinging Bridge Committee (N. Randolph)

Ms. Randolph said MMTB Engineers from Westbrook has been selected for the project. She reported that the benefit 5K walk/run was a success and she presented certificates for Councilor King and the Recreation Department staff for their help in the effort. Ms. Randolph said the goal of one hundred fifty thousand dollars (\$150,000) has not yet been met, they are still under one hundred thousand dollars (\$100,000), but they expect to reach their goal by the middle of June.

c) Report on Televising Sewer District Meetings

Manager Gerrish said that a letter had been received from Frank McVey, General Manager of the Brunswick Sewer District. Sewer District meetings will begin to be televised on Cable 7 in June. The meetings will continue to be held at the Sewer District offices at 7:30 a.m. and video will be provided to Cable 7 for telecast.

(A copy of a letter from the Brunswick Sewer District will be attached to the official minutes.)

d) Presentation of Proposed 2004-05 Budget

Manager Gerrish presented the proposed budget, which reflects a 3.8% increase overall. He reported that earlier in the day he was informed by the Superintendent of Schools that their state subsidy will be eighty-one thousand dollars (\$81,000) less that what is listed in the proposed budget. He said that the major increases on the municipal side are three (3) new positions, one (1) in communications and two (2) new daytime firefighters, as well as technology, health insurance and salary increases, and solid waste costs. He reported

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that there is a 1.9% increase in value. Mr. Gerrish said the budget includes seventy-five thousand dollars (\$75,000) for the planning of a sub-station at Cook's Corner. He expects the cost of borrowing for that project will impact next year's budget.

(A copy of the Town Manager's letter on the budget will be attached to the official minutes.)

Mr. Gerrish then reviewed the upcoming budget meeting schedule and the Council agreed to add workshops on May 20, 2004, and May 27, 2004, for review and recommendations to the Manager and School Superintendent.

Chair Lowe reminded the public that they are welcome at all of the upcoming workshops and meetings, especially the budget public hearings scheduled for May 17, 2004, and June 3, 2004.

Manager Gerrish then gave an update on the first day of use of the new NASB gate entrances. He said there was some confusion and additional signs are being put up. There was increased traffic on Rte. 123, but no problems. A yield sign has been placed on Coombs Rd. and he hopes to hear very soon about the 25 M.P.H. speed limit.

e) Update on NAPA Building Grant

Economic Development Director Mat Eddy outlined the options that have been pursued and the recommendation regarding the NAPA building and use of the DECD grant money.

Manager Gerrish said that Council feedback is needed and suggested that this be placed as an agenda item at the next meeting and include public participation.

Councilor Desmarais commented about the parking issues, that net parking would be a gain with the recent addition of permit parking behind Joshua's and if the Police Department moved elsewhere.

Councilor Watson moved, Councilor McCausland seconded, to set May 17, 2004, for public comment on the proposal presented by the Economic Development Director regarding use of the DECD grant.

Councilor McCausland said the Council has already decided to tear down the NAPA building and should proceed with that plan.

Councilor Priest asked where the Town's portion of the money would come from to build a new building.

Manager Gerrish answered that the project would be funded by the grant money and money already in the CIP in this year's budget, with more funds being borrowed over the next ten (10) years.

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Councilor Sartoris asked that parking numbers be provided, considering the possible move of the Police Department to another site.

The motion carried with nine (9) yeas.

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

Adjustments to Agenda:

Manager Gerrish requested to add item #72, to consider setting a public hearing for May 17, 2004, on a \$400,000 CDBG Grant application for a possible new business in the Industrial Park.

Without objection, this item was added.

- 63. The Town Council will hear public comments on the following requests for Alcoholic Beverage Licenses and will take any appropriate action.**

Full-time Spirituous, Vinous & Malt

Starfish Enterprises, LLC
D/B/A Star Fish Grill
100 Pleasant Street

Alyson Cummings/Thomas Cary

Clare's Dolphin Restaurant, Inc.
D/B/A Joshua's Restaurant and Tavern
123 Maine Street

John Siatras

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

Councilor Priest moved, Councilor Watson seconded, to approve the Alcoholic Beverage Licenses for Star Fish Grill and Joshua's Restaurant and Tavern. The motion carried with nine (9) yeas.

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

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

Clare's Dolphin Restaurant, Inc.
D/B/A Joshua's Restaurant and Tavern
123 Maine Street

John Siatras

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

Councilor Desmarais moved, Councilor Priest seconded, to approve the Special Amusement License for Joshua's Restaurant and Tavern. The motion carried with nine (9) yeas.

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

- 65. The Town Council will hear public comments on the following request for a Food Service License and will take any appropriate action.**

Peter Aleo, Jr.
D/B/A Phil's Grill
247 Bath Road

Peter Aleo, Jr.

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

Councilor Priest moved, Councilor King seconded, to approve the Food Service License for Phil's Grill. The motion carried with nine (9) yeas.

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

- 66. The Town Council will hear public comments on proposed amendments to the Solid Waste Ordinance regarding fees for the landfill, and will take any appropriate action.**

Public Works Director John Foster said that a change is recommended in the tipping fee for white goods (appliances) and scrap metal, lowering it to sixty dollars (\$60) per ton from the advertised eighty dollars (\$80) per ton, in order to encourage recycling.

Chair Lowe opened the public hearing at 8:30 p.m.

Maria Parker, Maine St, said she is in favor of anything that discourages throw away and encourages recycling. She said that in some places the manufacturer is responsible for removal and recycling of their products.

Chair Lowe closed the public hearing at 8:32 p.m.

John Foster said he is unaware of state or federal efforts regarding recycling white goods, but that the state legislature is working with the manufacturers on televisions and computers, which is called universal waste, and by January 1, 2006, those items will no longer be acceptable, from homeowners, at the landfill. Already, monitors cannot be accepted from businesses.

Councilor Sartoris moved, Councilor King seconded, to adopt the proposed amendments to the Solid Waste Ordinance, with the revision to the white goods fee, effective July 1, 2004, regarding tipping fees at the Landfill. The motion carried with nine (9) yeas.

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Manager Gerrish thanked John Eldridge and John Foster for their time and effort in putting this plan together, saying this would be a positive change.

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

67. The Town Council will take public comments on the Rural Brunswick Smart Growth Report, and will take any appropriate action.

Manager Gerrish and Steve Walker reminded everyone of the history of this year long project, and said the comments received thus far have been very positive.

Chair Lowe opened the public comment period.

Lisa Martin, Hacker Rd, said it is a nice job and provides balance and options palatable to a variety of citizens.

Bill Ferdinand, Chair of the Conservation Commission, said this will be a tremendous help when reviewing conservation easements and making recommendations. He said growth is happening at a rapid pace and he urged the Council to implement the impact mitigation fee sooner than is called for in the report.

Louisa Hart, Jordan Ave, said the wildlife habitat is fast disappearing and she urged the Council not to lose this opportunity to do something to mitigate the problem.

Maria Parker, Maine St, asked that consideration be made, within the plan, for preserving farmable land.

Paul Clark, Otter Trace, said he is a real estate broker and developer, environmentalist and outdoorsman, as well as a land owner in the area affected. He said this is an excellent job balancing private property rights and the preservation and protection of wildlife. He also said that the committee did a good job of notification.

Todd Buckheit, 105 Collinsbrook Rd, said he and others in his area will support this proposal.

Debbie Casterlin, Casco Rd, thanked those involved for the time put into this proposal.

Chair Lowe closed the public comment period.

Councilor Priest moved, Councilor Sartoris seconded, to adopt the Rural Brunswick Smart Growth Report, and to request staff to move ahead with the next phase of the Project to develop more specific proposals. The motion carried with nine (9) yeas.

Chair Lowe complimented the large group of people who worked on this proposal for a long period of time, there was a wide variety of people represented.

(A copy of a memo from Steve Walker and a financial implications summary will be attached to the official minutes.)

- 68. The Town Council will consider a request for the location of utilities on Perryman Drive and will take any appropriate action.**

Manager Gerrish said both he and Mr. Foster recommend approval, and that dig safe requirements will be met.

Councilor Watson moved, Councilor Desmarais seconded, to approve the request from Central Maine Power for location of utilities on Perryman Drive. The motion carried with nine (9) yeas.

(A copy of a memo from James Higgins, the application, letter and sketch from Central Maine Power will be attached to the official minutes.)

- 69. The Town Council will consider the appointment of the Codes Enforcement Officer and Alternate and will take any appropriate action.**

Manager Gerrish said that both Jeff Hutchinson and Carl Adams are certified and do a great job. He recommended their annual appointments.

Councilor Watson moved, Councilor King seconded, to appoint Jeff Hutchinson as the Town's Codes Enforcement Officer and Local Plumbing Inspector and to appoint Carl Adams as the Alternate Codes Enforcement Officer and Alternate Local Plumbing Inspector. The motion carried with nine (9) yeas.

(A copy of the Municipal Notice of Appointment is attached to the official minutes.)

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

Councilor Desmarais moved, Councilor Priest seconded, to re-appoint Colleen McKenna to the Conservation Commission for a three year term to expire 5/1/2007, to appoint Prudence Hunter as a Topsham/Harpswell resident to the Fifty-Five Plus Center Board of Trustees for the balance of a three (3) year term to expire 7/1/2005, and to re-appoint James Davis as a full member of the Sewer District Board of Trustees for a three (3) year term to expire 4/1/2007. The motion carried with nine (9) yeas.

- 71. The Town Council will consider a request from the Memorial Day Committee to hang a banner over Maine Street and will take any appropriate action.**

At Councilor Sartoris' suggestion, Manager Gerrish said he would review the rules for

hanging banners to try to eliminate the need for Council approval of these requests.

Councilor Desmarais moved, Councilor Priest seconded, to approve the request from the Memorial Day Committee to hang a banner over Maine Street from May 1 to May 15. The motion carried with nine (9) yeas.

(A copy of the letter from the Memorial Day Committee will be attached to the official minutes.)

72. (Added) The Town Council will consider setting a public hearing for May 17, 2004 regarding a \$400,000 CDBG grant for a possible new business in the Industrial Park.

Mat Eddy said he has been working with Martin Grimnes of Harbor Technologies about the potential of building a building for him in the industrial park, as was done in the past with the BTI building. They have been investigating the financial options and determined that subsidy would be needed to make it financially feasible. The proposed business would build composite wharves and pilings and eventually employ about fifty (50) people.

Manager Gerrish said this is a work in progress. No recommendation on whether or not to go forward with the project is being made at this time; however, there is a deadline later this month for the grant application.

Councilor Sartoris asked that any additional information that is available between now and the public hearing be brought to the Council's attention.

Councilor Sartoris moved, Councilor Watson seconded, to schedule a public hearing for May 17, 2004, to authorize application for a CDBG grant. The motion carried with nine (9) yeas.

Chair Lowe reminded everyone of the budget session on Tuesday, May 4, 2004, at 5:00 p.m.

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

The meeting adjourned at 9:05 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
May 5, 2004

May 17, 2004

Date of Approval

Council Chair