

**BRUNSWICK TOWN COUNCIL MINUTES**

**November 15, 2004**

**7:00 p.m.**

**Municipal Meeting Facility**

**EXECUTIVE SESSION: 6:30 P.M. REQUEST FOR POVERTY ABATEMENTS**

**Councilor Priest moved, Councilor Rice seconded, to go into executive session to discuss a request for poverty abatements. The motion carried with seven (7) yeas.**

**7:00 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, Robert A. Galloupe, Douglas A. Rice, Charles R. Priest, and Barbara A. Desmarais.

**Councilors Absent:** Councilors Joanne T. King and Stephen H. McCausland.

**Town Staff Present:** Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Patricia Harrington, Assistant Town Manager; Tom Farrell, Parks and Recreation Director; James Ashe, Superintendent of Schools, Sig Knudsen, Executive Director of People Plus; Don Goulet, Police Commander; and the TV video crew.

**Approval of Minutes:**       **October 4, 2004**  
  **October 18, 2004**

Hearing no objection from the Council, Chair Lowe declared the minutes of October 4, 2004, accepted as written.

Chair Lowe asked that the minutes of October 18, 2004, be tabled until the next meeting so corrections could be made.

**Public Comment:**

None

**Correspondence:**

Chair Lowe congratulated the Girls High School soccer team for winning the state championship.

**Letter from MDOT: 2004/05 Candidate Safety Projects**

Manager Gerrish said the letter from MDOT pointed out high accident locations. They have identified the intersection of McKeen Street and Baribeau Drive as such a place in Brunswick. The state is proposing putting a flashing red light there. Manager Gerrish has asked for the information on accidents at that intersection.

Councilor Sartoris suggested that abutters to this intersection be notified about the flashing light installation.

**Other correspondence:**

Councilor Watson updated the Council on the project he and Councilor Desmarais have been working on. They have been gathering data on certain areas to allow for streamlining town projects, like property acquisition. They are also looking at other areas to see if the town can be run more efficiently.

Councilor Priest asked if the Water District had responded to the Council's request to have their meetings televised.

Manager Gerrish said this item will be discussed at the Water District's December 13 meeting.

**Manager's Report:**

**a) Approval of Canopy Tree Planting Grant**

Manager Gerrish said the Recreation Department has received a three thousand dollar (\$3,000) grant from Project Canopy to plant trees on Maine Street and the Upper Mall.

*(A copy of a memo from the Parks and Recreation Department, outlining how the grant is to be used, will be attached to the official minutes.)*

**Councilor Desmarais moved, Councilor Priest seconded, to accept and to allow expenditure of a grant from Project Canopy in the amount of three thousand dollars (\$3,000) to plant trees on Maine Street and the Upper Mall. The motion carried with seven (7) yeas.**

**b) Update on Gateway 1 Project**

Manager Gerrish said there was a regional meeting to look at this planning project on the Route One Gateway. The key areas in Brunswick were explained in a letter.

*(A copy of the section of the letter providing key locations in Brunswick will be attached to the official minutes.)*

Chair Lowe said it appears that the state is trying a new process, which includes getting communities to work on a joint plan.

**c) Update on Tuition Students – Durham**

(This Manager Report item was taken up first.)

Jim Ashe, Superintendent of Schools, updated the Council on the School Board's work to keep Durham students in the Brunswick system. They provided one million eight hundred thousand dollars (\$1,800,000) last year, which helps the school department provide additional programs. He explained enrollment projections based on a study done by Planning Decisions. He feels there will be room for Durham's students until 2015. Currently, there are one hundred ninety (190) students from Durham in Brunswick. The School Board has put together a tuition contract to offer Durham, which is very similar to what the School Department does now. This contract is a five-year contract, with five (5) one year extensions available if agreed upon by both parties. Durham will have to guarantee eighty percent (80%) of their students will go to Brunswick as part of this agreement. Durham is not voting on this contract yet, and in December they are voting to see if they want to join the Lisbon school department. The Durham students add a great deal of value to the Brunswick High School and their tuition helps run the high school programs. He hopes that they do not join Lisbon and agree to the Brunswick contract.

Mr. Ashe, responding Councilor Desmarais' question about how enrollment numbers were generated, said the numbers that Planning Decision used came from things like the number of births, census information, people moving in and out of the area, and the business climate. Responding to Councilor Sartoris' question about class size, he said that if Brunswick loses the Durham funds it will have to cut staff. It does not really affect class size, because at the high school level, class offerings are based on how many students sign up for a class.

**d) Acceptance of Donations to the Schools**

(This Manager Report item was taken up second.)

Mr. Ashe explained the donations given to the School Department and asked that the Council accept them.

**Councilor Sartoris moved, Councilor Watson seconded, to accept and to allow expenditure of the donations, as listed on the attached memo from Mr. Ashe, dated November 15, 2004. The motion carried with seven (7) yeas.**

*(A copy of the memo outlining the donations will be attached to the official minutes.)*

**e) Update on NAPA Building**

Manager Gerrish said plans are proceeding for the demolition of the NAPA building. It is in the process of being torn down by the end of this week, and with additional work on the lot to be done next spring.

**f) Acceptance of Donation to Police Department**

Manager Gerrish said the Police Department has received a donation of four hundred dollars (\$400) from James Lee to purchase technology equipment.

**Councilor Desmarais moved, Councilor Watson seconded, to accept and allow expenditure of a grant from James Lee in the amount of four hundred dollars (\$400) for the purchase of technology equipment. The motion carried with seven (7) yeas.**

*(A copy of the memo from Commander Donald Goulet will be attached to the official minutes.)*

**g) Swinging Bridge Public Hearing**

Manager Gerrish said there is public hearing set for the Swinging Bridge project for November 17, 2004, at 7:00 p.m. at the Topsham Library.

**Adjustments to Agenda:**

Item 193 done as part of the Manager's Report.

Add Item 194 and 195, regarding poverty tax abatements.

Add Item 196, regarding a quit claim deed.

**187. The Town Council will hear public comments regarding the proposed Cable TV Franchise Agreement between the Town of Brunswick and Suscom and will take any appropriate action.**

Pat Harrington, Assistant Town Manager, summarized the proposed agreement which includes system upgrades, funding for equipment, and access. They will need to add section 27.1 (Reimbursement section). She explained its impact on citizens, which she outlined in a memo.

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

**Pat Scully**, Attorney representing the town, said the added language states if the town needs to bring an action to require enforcement of the contract, Suscom will reimburse costs only if the town is the prevailing party.

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**Pat McCormick**, General Manager of Suscom, said a great deal of work has gone into this agreement. Suscom has a commitment to provide a state of the art service to the community. This agreement reflects both parties' commitment to this community's needs. It meets or exceeds public expectations.

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

Councilor Desmarais said the company she works for has an agreement with Suscom, but it does not affect this contract.

Councilor Rice abstained since his company has done work for Suscom.

**Councilor Priest moved, Councilor Sartoris seconded, to authorize the Town Manager to sign the Cable TV Franchise Agreement with Suscom. The motion carried with six (6) yeas. Councilor Rice abstained.**

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

**188. The Town Council will receive a report concerning the proposed Teen Center and the Council's participation with it and will take any appropriate action.**

Councilor Desmarais explained how they have been working on the Teen Center and have prepared a memo outlining the Center's progress.

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

**Kendra Donahue**, a high school student, explained the work the teens and others have been doing on the Center. They have gone to schools' open houses and other places to get information out on the center.

**Jordan Cardone**, 22 Bouchard Drive, said the project is close to getting done. The group has been meeting for almost a year. Now they are trying to form an official board. In that board, there will be three citizens appointed by the Council, and one Councilor.

Councilor Sartoris said in order to have a fully staffed center and do fund raising, they need a board of directors and need Council involvement.

**Councilor Sartoris moved, Councilor Desmarais seconded, to endorse and support the Brunswick Teen Center by appointing one Councilor and three citizens to the Brunswick Teen Center Board. The motion carried with seven (7) yeas.**

Councilor Sartoris said she would be pleased to serve on this board.

**With no other nominations, the Council voted seven (7) yeas to appoint Councilor Sartoris to the Teen Center Board of Directors.**

Councilor Desmarais wanted to point out there are fourteen (14) people in the audience who are involved with this project.

**Councilor Galloupe wished to amend the document to change “Fifty-Five Plus” to “People Plus” and the amendment passed with seven (7) yeas.**

*(A copy of the By-Laws for the Brunswick Teen Center will be attached to the official minutes.)*

**189. The Town Council will discuss a process for developing plans for the Times Record building for Municipal use and will take any appropriate action.**

Manager Gerrish said the town needs to start the process of planning for the re-use of the Times Record building for municipal purposes. He is recommending the same process the town is using for the Cook’s Corner Fire Sub-station, which is as follows:

- 1) Appoint a three (3) member Committee of the Council to oversee the project. The Committee would be assisted by Town Staff, lead by Assistant Town Manager Patricia Harrington.
- 2) The Committee would consider the re-use of the Times Record building primarily for the Police Department, Council Chambers, Cable TV-7, Human Services and Public Works. Other municipal uses could be considered as space analysis is done. The Committee would also look at space planning for the existing Town Office when the Police Department moves to the Times Record building.
- 3) The Committee will hire professional assistance, as necessary.
- 4) The goal is to have plans ready for the Times Record building and 28 Federal Street no later than August of 2005.

Councilor Priest said it is important to have the Council representative from the Cable TV Committee as one of the three Councilors.

Chair Lowe said there will be no Councilors appointed until a later time when the two (2) new Councilors are sworn in.

Councilor Sartoris said the Council has not voted on the use of the building yet.

Chair Lowe said the vote tonight will formalize what has been discussed informally.

Manager Gerrish said, responding to Councilor Desmarais’ question, it has not been discussed if the Superintendent’s office will go there. It is proposed that Human Services, the Police, Cable TV, and Council Chambers will go in the building, with Public Works using the outside building.

Councilor Galloupe asked that no vote to be taken until the entire Council is present.

Councilor Desmarais and Councilor Sartoris expressed concern about voting in December, with the two (2) new Councilors coming on board in January.

Chair Lowe said this Council has been working on it for over a year and he would like it to be finalized in December by this Council.

**Councilor Rice moved, Councilor Priest seconded, to table this item until the first meeting in December. The motion carried with seven (7) yeas.**

Councilor Watson suggested inviting the two (2) Councilors elect to the meeting.

**190. The Town Council will discuss the possibility of a Council workshop to discuss how the Council can work more effectively and will take any appropriate action.**

Chair Lowe explained his idea for a retreat for the Council so they can work more effectively.

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

Councilor Desmarais said this was a great idea. She asked that the meeting not be televised.

Chair Lowe said it is a public meeting, but in a different setting.

Councilor Sartoris said it was a good idea, considering all the changes with public comments and input.

Councilor Priest said it is a great idea. He would recommend that the Council work with a facilitator and have a limited agenda so they can get consensus on those items.

**Louise Ansari**, Councilor Elect for District 5, said it is important to learn to work together and she likes the idea of the retreat.

**191. The Town Council will consider authorizing the Town to apply for a Department of Defense Grant and will take any appropriate action.**

Ms. Harrington said the town has learned that it is eligible for a Department of Defense Grant that would fund an initial study to look at preliminary strategies and plans for re-use or redevelopment of existing military bases such as BNAS. She believes this is an opportunity the town should pursue and asked for the Council's approval to make an application for the funds. These funds would be used to hire a consultant to look at issues such as governance, existing infrastructure and some preliminary master planning for the base if it were to close. The town has been assured that applying for the funds has no affect on base closure decisions. She is asking that the town be authorized to apply for the funding, and, if approved, the Manager will come back to the Council for acceptance.

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Councilor Rice said it is not a given that Brunswick will get the funds and Ms. Harrington agreed.

Councilor Priest, Councilor Sartoris and Chair Lowe said this is in no way showing any “non-support” for the Navy Base remaining open. Applying for the grant is the logical way to plan in case something were to happen to the Base.

Councilor Sartoris said she wants information included that the Base’s property was town-owned land. If the Base were to close, it would be the town’s opportunity and obligation to do something. She wants to make sure the state does not take control since it is historically part of Brunswick.

Manager Gerrish said, responding to Councilor Sartoris comments, the protocol may have changed since the last time the town faced a possible base closure process.

**Councilor Watson moved, Councilor Rice seconded, to authorize an application to the Department of Defense for an Office of Economic Adjustment grant. The motion carried with seven (7) yeas.**

**192. The Town Council will consider an application for a Utility Location Permit and will take any appropriate action.**

Manager Gerrish said Verizon and CMP have requested a pole location permit to provide electrical service for new homes being constructed on Collinsbrook Road. The Public Works Department has reviewed the request and recommends approval.

**Councilor Galloupe moved, Councilor Priest seconded, to approve the utility location permit for Verizon and CMP to install a new pole on Collinsbrook Road. The motion carried with six (6) yeas. Councilor Sartoris was opposed.**

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

**193. The Town Council will consider a Resolution authorizing the School Department to reserve a portion of the school balance for compensated absences and will take any appropriate action.**

*(This item was taken out of order and occurred earlier in the meeting.)*

John Eldridge, Finance Director, explained this resolution and that it puts aside the money for those retiring, as a reserve. This is being done based on the Auditor’s recommendation.

**Councilor Priest moved, Councilor Desmarais seconded, to adopt the Resolution Authorizing The School Department To Reserve A Portion Of The Education Balance For Compensated Absences. The motion carried with seven (7) yeas.**

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

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

Chair Lowe moved, Councilor Priest seconded, to approve poverty tax abatement number 1. The motion carried with seven (7) yeas.

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

Chair Lowe moved, Councilor Desmarais seconded, to table poverty tax abatement number 2 until a future meeting. The motion carried with seven (7) yeas.

196. (ADDED) The Town Council will consider authorizing the Town Manager to sign a quit claim deed and will take any appropriate action.

Councilor Priest moved, Councilor Galloupe seconded, to authorize the Town Manager to sign a quit claim deed for the property located on Map 45, Lot 3. The motion carried with seven (7) yeas.

The meeting adjourned at 8:35 pm.

**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  
November 22, 2004

December 6, 2004

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*Date of Approval*

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*Council Chair*