

BRUNSWICK TOWN COUNCIL
AGENDA
September 8, 2009
Executive Session – 6:30 P.M.
Meeting Resumes - 7:00 P.M.
Municipal Meeting Room (Room 217)
Maine Street Station
16 Station Avenue

Executive Session: Personnel Matter Per 1 M.R.S.A. § 405(6)(A) for the purpose of discussing the Town Manager's position

Roll Call

Pledge of Allegiance

Public Comment:

Correspondence:

Adjustments to the Agenda:

MANAGER'S REPORT:

- (a) Financial Update
- (b) Council Committee Updates
- (c) Report on Bowdoin College's Zipcar Program
- (d) Report regarding working with Freeport on dispatching services
- (e) Acceptance of a SAFER grant to partially fund a firefighter position (Action Required)
- (f) Applying for Emergency Management Performance Grant for use in Emergency Management Program (Action Required)
- (g) Update on road projects – Maine Street, Mere Point Road, Bath Road
- (h) Introduction of Brunswick Downtown Association Executive Director
- (i) Update on Tax Rate for FY 2009-2010

PUBLIC HEARINGS:

- 125. The Town Council will hear public comments on the following Alcoholic Beverage License applications, and will take any appropriate action. (Manager)

Full-Time Spirituous, Vinous & Malt

Scarlet Begonias, Inc
D/B/A Scarlet Begonias
16 Station Avenue

Douglas Lavallee

Little Tokyo Restaurant
D/B/A Little Tokyo Restaurant
72 Maine Street

Cuong Ly

HEARING/ACTION

NEW BUSINESS:

126. The Town Council will consider entering into an employment agreement with Gary Brown as the Brunswick Town Manager, and will take any appropriate action. (Councilor Daughtry and Councilor Pols)

ACTION

127. The Town Council will consider setting a public hearing on Zoning Ordinance amendments regulating the use of small wind energy systems, and will take any appropriate action. (Manager)

ACTION

128. The Town Council will consider setting a public hearing to amend the Cooks Corner TIF, and will take any appropriate action. (Manager)

ACTION

129. The Town Council will consider setting a public hearing on a CDBG grant in order to accept \$40,000 on behalf of Coastal Counties Workforce, Inc to fund a WorkReady Credential Training Program, and will take any appropriate action. (Manager)

ACTION

130. The Town Council will consider negotiating a RFP for the Property Management of the Maine Street Station Train Station, and will take any appropriate action. (Manager)

ACTION

131. The Town Council will discuss methods to increase public communication, and will determine if any future action is required. (Councilor Daughtry and Councilor Atwood)

DISCUSSION

132. The Town Council will discuss the future status of the Maine Street Station Oversight Committee, and will determine if any future action is required. (Councilor Knight)

DISCUSSION

133. The Town Council will discuss the future action to take, if any, relative to prohibiting swimming in sections of the Androscoggin River, and will determine if any future action is required. (Manager)

DISCUSSION

134. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Manager)

ACTION

CONSENT AGENDA

- (a) Approval of the Minutes of August 3, 2009
- (b) Approval of the Minutes of August 4, 2009
- (c) Approval of the Minutes of August 5, 2009
- (d) Approval of the Minutes of August 12, 2009
- (e) Approval of the Minutes of August 26, 2009
- (f) Approval of the Minutes of August 31, 2009

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE
COMMUNICATION SHOULD CONTACT THE TOWN MANAGER'S
OFFICE AT 725-6659
(TDD 725-5521)**

Brunswick Town Council
Agenda
September 8, 2009
Council Notes and Suggested Motions

Executive Session: Personnel Matter Per 1 M.R.S.A. § 405(6)(A) for the purpose of discussing the Town Manager's position.

Motion to go into executive session for a Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of discussing the Town Manager's position.

MANAGER'S REPORT:

- (a) Financial Update: The Town Manager will provide a financial update for the Town. Copies of the financial summary reports are included in your packet.

Suggested Motion: No Motion Required.

- (b) Council Committee Updates: Councilors with information on the Committees they are involved with will share information with the Council and public.

Suggested Motion: No Motion Required.

- (c) Report on Bowdoin College's Zipcar Program: Bowdoin College has recently added a Toyota Tacoma extended-cab pick-up truck to the Zipcar fleet, which already has two vehicles. Bowdoin wanted the Council and public to be aware that these vehicles are also available for public use. A copy of a letter from Catherine Longley explaining this program is included in your packet.

Suggested Motion: No Motion Required.

- (d) Report regarding working with Freeport on dispatching services: Manager Brown will update the Council on the Town working with Freeport to provide them with dispatching services. A copy of a memo from the Police Department is included in your packet.

Suggested Motion: No Motion Required.

- (e) Acceptance of a SAFER grant to partially fund a firefighter position (Action Required): This Staffing for Adequate Fire and Emergency Response (SAFER) Grant is from the Department of Homeland Security and will provide funds in the amount of \$108,380 over a five year period to assist with the funding of one full-time firefighter position. This new position was already budgeted in the current year and this grant will offset a portion of the related cost. Chief Labbe will be at your meeting to answer any questions you may have.

Suggested Motion:

Motion to accept and expend a SAFER grant in the amount of \$108,380 to be spread over a five year period to assist with the funding of one full-time firefighter position.

- (f) Applying for Emergency Management Performance Grant for use in Emergency Management Program (Action Required): This item is to allow the Town to retroactively apply for funds from the Department of Homeland Security through the Maine Emergency Management Agency and the Cumberland County Emergency Management Agency. The funds would be used to reimburse money already spent in the current fiscal year and for future quarters for costs related to the local Emergency Management program. This grant will allow for a 50% match of local dollars spent on this planning, training and other items. We are looking to receive back \$9,578.64 for funds already spent and hope to also get future costs reimbursed. Chief Labbe will be at your meeting to answer any questions you may have. A copy of a memo from the Chief will be included in your packet.

Suggested Motion:

Motion to allow the Fire Department to retroactively apply for Department of Homeland Security funds to reimburse costs related to the Town's Emergency Management program and allow the Town to apply for future reimbursement under this program.

- (g) Update on road projects – Maine Street, Mere Point Road, Bath Road: Manager Brown and John Foster will provide an update on these road projects.

Suggested Motion: No Motion Required.

- (h) Introduction of Brunswick Downtown Association Executive Director: This item will allow the Council and public to meet Greg Farr, the new Executive Director of the BDA.

Suggested Motion: No Motion Required.

- (i) Update on Tax Rate for FY 2009-2010: The Assessor is completing the Town's Tax Commitment, and Manager Brown will have the final tax rate for this fiscal year to share with the Council and public at your meeting.

Suggested Motion: No Motion Required.

PUBLIC HEARING:

125. This item is for a public hearing and approval of alcohol licenses for the new restaurant, Little Tokyo, located at 72 Maine Street, and for an existing restaurant, Scarlet Begonias, that will be selling alcohol for the first time at their new location at 16 Station Avenue. Copies of the public hearing notice and the applications are included in your packet.

Suggested Motion:

Motion to approve alcoholic beverage licenses for Little Tokyo and Scarlet Begonias.

NEW BUSINESS:

126. This item is for the Council to approve the employment agreement with Gary Brown as the Brunswick Town Manager and to appoint him to this position. A copy of the employment agreement is included in your packet.

Suggested Motion:

Motion to approve an employment agreement with Gary Brown, appointing him as Brunswick's Town Manager, effective September 8, 2009.

127. The item is to set a public hearing for September 21, 2009, for Zoning Ordinance amendments relative to small wind energy systems (SWES). The proposed changes would allow the use of these systems in all zoning districts as outlined by proposed language. These standards were created after reviewing ordinances in Maine and elsewhere in the United States, as well as having discussions with others with experience in this area. Kris Hultgren, the Town Planner, will be at your meeting to further explain this proposal. Copies of his memo and draft language are included in your packet.

Suggested Motion:

Motion to set a public hearing for September 21, 2009, relative to Zoning Ordinance amendments regulating the use of small wind energy systems.

128. This item is to begin the process of amending the Cooks Corner TIF in order to meet the following goals:
- Reduce the geographic size and adjust the boundaries so that the amended TIF will cover the area between Thomas Point Road and Old Bath Road. This is to coincide with the Bath Road improvements already authorized by bond ordinance.
 - Extend the TIF life. It is due to expire at the end of October 2009, because that is the last payment due on the Bath Road Sewer bonds issued in 1990. By law, the TIF can only be extended for 10 years.
 - Capture sufficient incremental valuation to pay the 10 year debt service on the bonds to be issued for the Bath Road improvements. Capturing the value will allow us to enjoy the valuation "shifts" that help us with Education Aid, Revenue Sharing, and the County tax.

The first action the Council will need to take is to set a public hearing for September 21, 2009. John Eldridge will be at your meeting to answer any questions you may have. Materials for this item are still being finalized and will be provided to the Council as soon as available.

Suggested Motion:

Motion to set a public hearing for September 21, 2009, relative to amending the Cooks Corner TIF agreement.

129. At your March 23, 2009 meeting, the Council gave the Town permission to apply for this grant. We have since received word that we were successful in receiving this \$40,000 grant that will assist in the expansion of the WorkReady Credential Training Program. Under the CDBG program guidelines, the Town must hold a public hearing prior to accepting these funds.

Suggested Motion:

Motion to set a public hearing for September 21, 2009, relative to a CDBG grant in the amount of \$40,000 that will assist in the expansion of the WorkReady Credential Training Program.

130. This item is relative to the Requests for Proposal (RFP) for the Maine Street Station Train Station property management and Visitor's Center. After sending out the RFP to five entities, the only submission the Town received was from the Brunswick Downtown Association (BDA). The Maine Street Oversight Committee is recommending that the Council accept BDA's proposal with the understanding that there will be further negotiations between the BDA and the Town Manager. After the negotiations the Oversight Committee will further review the RFP and will return it to the full Council for their final approval. Copies of a memo from Manager Brown and the RFP from the BDA are included in your packet.

Suggested Motion:

Motion to authorize the Town Manager to negotiate terms with the BDA to provide property management services for the space the Town is leasing at Maine Street Station to serve as a combination Train Station and Visitor's Center.

131. Chair Daughtry and Councilor Atwood are sponsoring this discussion item so the Council can talk about methods the Town can explore to increase public communication. We can also discuss some of what has been done over the last several months to work towards this goal, including Council packets on the webpage and email notifications of upcoming meetings.

Suggested Motion: There is no proposed motion since this is a discussion item.

132. Councilor Knight is sponsoring this item regarding the future status of the Maine Street Station Oversight Committee and whether or not it should continue to exist. This subcommittee was formed in January 22, 2008, to replace the Maine Street Station Implementation Committee.

Suggested Motion: There is no proposed motion since this is a discussion item.

133. This discussion item comes in light of recent events involving swimming in this river, one of which ended in a tragedy. This is an opportunity for the Council to be updated on any discussions the Topsham Selectmen may have had since we share this river and this issue. The Council can then discuss if they wish to explore restrictions on swimming on sections of the river.

Suggested Motion: There is no proposed motion since this is a discussion item.

134. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. Copies of the applications are included in your packet.

Suggested Motion:

Nominations will be made, with no seconds required, and the Council will then vote on the nominations.

CONSENT AGENDA

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- (d) Approval of the Minutes of August 12, 2009
- (e) Approval of the Minutes of August 26, 2009
- (f) Approval of the Minutes of August 31, 2009

Copies of all these minutes are included in your packet for your review and approval.

MANAGER'S REPORT - A BACK UP MATERIALS

FOR 2010 02

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/> 10 General Government <hr/>							
11000 Administration	497,316	497,316.00	42,874.41	23,099.00	.00	454,441.59	8.6%
11050 Personnel Department	0	.00	49.56	49.56	.00	-49.56	100.0%
11100 Finance Department	664,679	664,679.00	91,536.94	44,989.14	1,250.95	571,891.11	14.0%
11150 Technology Services Dept	197,600	197,600.00	94,205.65	17,637.29	-19,636.92	123,031.27	37.7%
11200 Municipal Officers	109,015	109,015.00	14,736.19	6,276.55	.00	94,278.81	13.5%
11220 Municipal Building	171,450	171,450.00	26,788.29	19,822.12	-5,652.96	150,314.67	12.3%
11230 Risk Management	445,500	445,500.00	132,803.75	4,027.61	83,990.25	228,706.00	48.7%
11240 Employee benefits	0	.00	.00	.00	.00	.00	.0%
11250 Cable TV	99,318	99,318.00	14,663.49	6,412.94	4,930.00	79,724.51	19.7%
11300 Assessing	289,918	289,918.00	39,560.46	21,758.71	2,206.50	248,151.04	14.4%
11400 Codes Enforcement	213,741	213,741.00	30,952.86	16,198.91	128.58	182,659.56	14.5%
11600 Town Clerk & Elections	341,372	341,372.00	38,748.95	21,415.66	.00	302,623.05	11.4%
11900 Planning Department	310,101	310,101.00	39,579.63	21,486.50	.00	270,521.37	12.8%
11940 Natural Resources Departme	0	.00	.00	.00	.00	.00	.0%
11950 Economic Development Dept	194,280	194,280.00	27,940.62	14,580.66	224.20	166,115.18	14.5%
TOTAL General Government	3,534,290	3,534,290.00	594,440.80	217,754.65	67,440.60	2,872,408.60	18.7%
<hr/> 20 Public Safety <hr/>							
12100 Fire Department	2,610,381	2,610,381.00	411,748.05	202,243.92	21,444.64	2,177,188.31	16.6%
12200 Police Department	4,061,417	4,061,417.00	544,468.21	280,383.86	14,958.64	3,501,990.15	13.8%
12210 Police Special Detail	0	.00	1,026.49	1,026.49	.00	-1,026.49	100.0%
12310 Streetlights	208,500	208,500.00	13,238.08	13,238.08	.00	195,261.92	6.3%
12320 Traffic Signals	18,600	18,600.00	4,105.46	4,105.46	.00	14,494.54	22.1%
12330 Hydrants	364,680	364,680.00	3,900.00	.00	.00	360,780.00	1.1%
12340 Civil Emergency Preparedne	4,000	4,000.00	.00	.00	.00	4,000.00	.0%
TOTAL Public Safety	7,267,578	7,267,578.00	978,486.29	500,997.81	36,403.28	6,252,688.43	14.0%
<hr/> 30 Public Works <hr/>							
13100 Public Works Administratio	457,466	457,466.00	64,793.20	34,272.76	.00	392,672.80	14.2%
13110 PW General Maintenance	714,297	714,297.00	147,793.02	90,466.12	6,496.00	560,007.98	21.6%
13120 PW Winter Maintenance	819,476	819,476.00	77.62	77.62	.00	819,398.38	.0%
13130 Refuse Collection	556,588	556,588.00	46,367.23	37,628.83	.00	510,220.77	8.3%

FOR 2010 02

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
13140 Recycling	231,620	231,620.00	17,693.89	17,620.01	.00	213,926.11	7.6%
13150 PW Central Garage	552,166	552,166.00	41,495.64	28,365.30	10,688.22	499,982.14	9.5%
TOTAL Public Works	3,331,613	3,331,613.00	318,220.60	208,430.64	17,184.22	2,996,208.18	10.1%
 40 Human Services							
14100 General Assistance	144,273	144,273.00	17,277.38	8,068.71	759.51	126,236.11	12.5%
14120 Health & Social Services	2,611	2,611.00	.00	.00	.00	2,611.00	.0%
TOTAL Human Services	146,884	146,884.00	17,277.38	8,068.71	759.51	128,847.11	12.3%
 45 Education							
14500 School Department	33,471,084	33,471,084.00	1,996,684.32	1,006,721.07	.00	31,474,399.68	6.0%
TOTAL Education	33,471,084	33,471,084.00	1,996,684.32	1,006,721.07	.00	31,474,399.68	6.0%
 50 Recreation and Culture							
15000 Recreation Administration	434,601	434,601.00	64,157.98	32,220.71	109.59	370,333.43	14.8%
15050 Rec Buildings and Grounds	676,422	676,422.00	89,368.47	48,820.32	9,789.10	577,264.43	14.7%
15100 Coffin Pond	62,213	62,213.00	23,177.54	13,957.14	.00	39,035.46	37.3%
15300 Teen Center	5,000	5,000.00	.00	.00	.00	5,000.00	.0%
15310 People Plus	70,000	70,000.00	35,000.00	.00	.00	35,000.00	50.0%
15400 Curtis Memorial Library	1,082,842	1,082,842.00	180,473.68	90,236.84	.00	902,368.32	16.7%
TOTAL Recreation and Culture	2,331,078	2,331,078.00	392,177.67	185,235.01	9,898.69	1,929,001.64	17.2%
 60 Intergovernmental							
16000 County tax	1,149,612	1,149,612.00	.00	.00	.00	1,149,612.00	.0%
TOTAL Intergovernmental	1,149,612	1,149,612.00	.00	.00	.00	1,149,612.00	.0%
 70 Unclassified							

FOR 2010 02

70	Unclassified	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
17000	Promotion and Development	122,161	122,161.00	81,758.00	50,000.00	.00	40,403.00	66.9%
17010	Assistance to St. Johns	16,000	16,000.00	.00	.00	.00	16,000.00	.0%
17020	Cemetery Care	2,500	2,500.00	250.00	.00	.00	2,250.00	10.0%
17030	Wage Adjustment Account	125,000	125,000.00	3,539.90	.00	.00	121,460.10	2.8%
17050	High School Spring Street	0	.00	1,836.28	114.47	.00	-1,836.28	100.0%
	TOTAL Unclassified	265,661	265,661.00	87,384.18	50,114.47	.00	178,276.82	32.9%
80 Debt Service								
18000	2000 CIP G/O Bonds	336,000	336,000.00	.00	.00	.00	336,000.00	.0%
18020	2006 CIP G/O Bonds	292,000	292,000.00	.00	.00	.00	292,000.00	.0%
	TOTAL Debt Service	628,000	628,000.00	.00	.00	.00	628,000.00	.0%
	GRAND TOTAL	52,125,800	52,125,800.00	4,384,671.24	2,177,322.36	131,686.30	47,609,442.46	8.7%

** END OF REPORT - Generated by Julie Henze **

REPORT OPTIONS

Sequence	Field #	Total	Page Break	Year/Period: 2010/ 2
Sequence 1	2	Y	N	Print revenue as credit: Y
Sequence 2	9	Y	N	Print totals only: Y
Sequence 3	0	N	N	Suppress zero bal accts: Y
Sequence 4	0	N	N	Print full GL account: N

Double space: N
Report title: Roll projects to object: N
AUGUST 2009 EXPENDITURE REPORT Incl inception to soy: N
Carry forward code: 1
Print journal detail: N
From Yr/Per: 2009/ 1
To Yr/Per: 2009/12
Print Full or Short description: F Include budget entries: N
Print MTD Version: Y Incl encumb/liq entries: N
Print Revenues-Version headings: N
Format type: 2 Sort by JE # or PO #: J
Print revenue budgets as zero: N
Include Fund Balance: N Detail format option: 1
Include requisition amount: N

FOR 2010 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
10 Taxes						
111190 41101 Property Taxes	28,900,276	28,900,276.00	.00	.00	28,900,276.00	.0%
111190 41103 Deferred Property Taxe	-200,000	-200,000.00	.00	.00	-200,000.00	.0%
111190 41104 Tax Abatements	-75,000	-75,000.00	-2,373.46	.00	-72,626.54	3.2%
111190 41105 Interest on Taxes	65,000	65,000.00	14,098.98	4,252.47	50,901.02	21.7%
111190 41106 Tax Lien Costs Revenue	10,000	10,000.00	11,438.62	10,857.90	-1,438.62	114.4%
111190 41107 Tax Lien Interest Reve	0	.00	16,766.98	16,766.98	-16,766.98	100.0%
111190 41109 Payment in Lieu of Tax	175,000	175,000.00	.00	.00	175,000.00	.0%
111191 41110 Excise Tax - Auto	2,325,000	2,325,000.00	495,454.04	256,434.93	1,829,545.96	21.3%
111191 41111 Excise Tax Boat/ATV/Sn	23,000	23,000.00	2,709.10	1,490.60	20,290.90	11.8%
TOTAL Taxes	31,223,276	31,223,276.00	538,094.26	289,802.88	30,685,181.74	1.7%
TOTAL REVENUES	31,223,276	31,223,276.00	538,094.26	289,802.88	30,685,181.74	
20 Licenses & Fees						
121411 42100 Building Permits	15,000	15,000.00	11,008.25	4,392.80	3,991.75	73.4%
121411 42101 Electrical Permits	14,000	14,000.00	2,377.16	869.16	11,622.84	17.0%
121411 42102 Plumbing Permits	8,500	8,500.00	1,766.25	468.00	6,733.75	20.8%
121411 42103 Zoning Board Fees	300	300.00	.00	.00	300.00	.0%
121411 42105 Mobile Home Permits	300	300.00	.00	.00	300.00	.0%
121411 42106 Institutional Permits	12,000	12,000.00	.00	.00	12,000.00	.0%
121411 42107 Alts/Addds Permits	12,000	12,000.00	.00	.00	12,000.00	.0%
121411 42108 Comm/Indus Permits	10,000	10,000.00	.00	.00	10,000.00	.0%
121411 42109 Multiple Dwellings	1,000	1,000.00	.00	.00	1,000.00	.0%
121411 42110 Accessory Structures	3,500	3,500.00	.00	.00	3,500.00	.0%
121611 42200 Hunting & Fishing Lice	1,500	1,500.00	211.70	115.70	1,288.30	14.1%
121611 42201 Dog License Fee	2,200	2,200.00	78.00	48.00	2,122.00	3.5%
121611 42202 Vital Statistics	46,000	46,000.00	9,919.00	4,754.00	36,081.00	21.6%
121611 42203 General Licenses	23,180	23,180.00	1,195.00	720.00	21,985.00	5.2%
121611 42204 Victulars Licenses	20,625	20,625.00	1,350.00	600.00	19,275.00	6.5%
121611 42205 Shellfish Licenses	21,000	21,000.00	125.00	25.00	20,875.00	.6%
121611 42206 Neutered/Spayed Dog Li	3,620	3,620.00	110.00	76.00	3,510.00	3.0%
121611 42207 Passport Fees	7,600	7,600.00	2,000.00	725.00	5,600.00	26.3%
121611 42208 Postage Fees	0	.00	10.19	-2.10	-10.19	100.0%
121611 42209 Passport Picture Reven	1,350	1,350.00	516.00	168.00	834.00	38.2%
121911 42300 Planning Board Appl Fe	10,000	10,000.00	1,113.70	1,063.70	8,886.30	11.1%
122121 42400 Fire Permits	1,500	1,500.00	.00	.00	1,500.00	.0%
122221 42500 Conc Weapons Permits R	400	400.00	85.00	85.00	315.00	21.3%

FOR 2010 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
123131 42600 Public Works Opening F	500	500.00	16.00	16.00	484.00	3.2%
TOTAL Licenses & Fees	216,075	216,075.00	31,881.25	14,124.26	184,193.75	14.8%
TOTAL REVENUES	216,075	216,075.00	31,881.25	14,124.26	184,193.75	
30 Intergovernmental						
131132 43103 Highway Grant Fund	202,500	202,500.00	.00	.00	202,500.00	.0%
131142 43104 State General Assistan	20,000	20,000.00	4.50	.00	19,995.50	.0%
131190 43102 State Tax Exemption Re	10,000	10,000.00	.00	.00	10,000.00	.0%
131192 43101 State Revenue Sharing	1,800,000	1,800,000.00	396,599.40	145,875.13	1,403,400.60	22.0%
131192 43106 Snowmobile Receipts	1,500	1,500.00	.00	.00	1,500.00	.0%
134546 43120 State Education Subsid	13,985,285	13,985,285.00	2,171,419.42	1,085,709.71	11,813,865.58	15.5%
134546 43121 State Adult Educ. Subs	30,000	30,000.00	.00	.00	30,000.00	.0%
134546 43122 St Fiscal Stabilizatio	753,426	753,426.00	.00	.00	753,426.00	.0%
134546 43150 Federal Education Subs	550,000	550,000.00	173,764.18	.00	376,235.82	31.6%
TOTAL Intergovernmental	17,352,711	17,352,711.00	2,741,787.50	1,231,584.84	14,610,923.50	15.8%
TOTAL REVENUES	17,352,711	17,352,711.00	2,741,787.50	1,231,584.84	14,610,923.50	
40 Charges for services						
141111 44110 Agent Fee Auto Reg	35,000	35,000.00	8,032.00	3,896.00	26,968.00	22.9%
141111 44111 Agent Fee Boat/ATV/Sno	1,700	1,700.00	284.00	82.00	1,416.00	16.7%
141111 44140 Housing Services Fees	610,000	610,000.00	101,902.44	50,951.22	508,097.56	16.7%
141611 44131 Advertising Fees	0	.00	73.45	.00	-73.45	100.0%
142121 44155 Ambulance Service Fees	675,000	675,000.00	115,375.22	94,108.84	559,624.78	17.1%
142121 44166 Special Detail - Fire	1,000	1,000.00	.00	.00	1,000.00	.0%
142221 44161 Witness Fees	5,000	5,000.00	.00	.00	5,000.00	.0%
142221 44162 Police Reports	3,700	3,700.00	509.50	318.00	3,190.50	13.8%
142221 44163 School Resource Office	69,178	69,178.00	.00	.00	69,178.00	.0%
142221 44165 Special Detail - Polic	5,000	5,000.00	1,161.00	1,161.00	3,839.00	23.2%
143131 44174 PW Labor & Materials	0	.00	304.87	304.87	-304.87	100.0%
143431 44175 Recycling Revenue	20,000	20,000.00	4,902.72	3,622.72	15,097.28	24.5%
144545 44100 School Tuition, etc	935,000	935,000.00	.00	.00	935,000.00	.0%
145051 44187 Coffin Pond	25,000	25,000.00	17,799.70	9,193.25	7,200.30	71.2%
TOTAL Charges for services	2,385,578	2,385,578.00	250,344.90	163,637.90	2,135,233.10	10.5%
TOTAL REVENUES	2,385,578	2,385,578.00	250,344.90	163,637.90	2,135,233.10	
50 Fines & Penalties						
151621 45103 Unlicensed Dog Fines	7,950	7,950.00	300.00	135.00	7,650.00	3.8%

FOR 2010 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
152121 45104 False Alarm Fire	3,000	3,000.00	100.00	100.00	2,900.00	3.3%
152221 45100 Ordinance Fines	1,000	1,000.00	.00	.00	1,000.00	.0%
152221 45101 Parking Tickets	16,000	16,000.00	1,366.00	771.00	14,634.00	8.5%
152221 45102 Leash Law Fines	1,000	1,000.00	410.00	285.00	590.00	41.0%
152221 45105 False Alarm Police	1,500	1,500.00	.00	.00	1,500.00	.0%
152221 45106 Restitution	0	.00	275.00	275.00	-275.00	100.0%
TOTAL Fines & Penalties	30,450	30,450.00	2,451.00	1,566.00	27,999.00	8.0%
TOTAL REVENUES	30,450	30,450.00	2,451.00	1,566.00	27,999.00	
<hr/> 60 Interest earned						
161193 46100 Interest Earned	150,000	150,000.00	875.72	875.72	149,124.28	.6%
TOTAL Interest earned	150,000	150,000.00	875.72	875.72	149,124.28	.6%
TOTAL REVENUES	150,000	150,000.00	875.72	875.72	149,124.28	
<hr/> 70 Donations						
171952 47000 BDC Contrib to Econ De	75,000	75,000.00	.00	.00	75,000.00	.0%
TOTAL Donations	75,000	75,000.00	.00	.00	75,000.00	.0%
TOTAL REVENUES	75,000	75,000.00	.00	.00	75,000.00	
<hr/> 90 Other						
191011 49000 Administration Miscell	2,000	2,000.00	25.34	.00	1,974.66	1.3%
191111 49000 Finance Miscellaneous	2,500	2,500.00	183.43	113.54	2,316.57	7.3%
191111 49101 Workers Comp Reimb	2,000	2,000.00	.00	.00	2,000.00	.0%
191111 49105 Postage & Handling	3,000	3,000.00	520.00	252.00	2,480.00	17.3%
191111 49106 W/C Proceeds	0	.00	609.31	493.53	-609.31	100.0%
191111 49210 Insurance Proceeds	0	.00	9,620.10	9,620.10	-9,620.10	100.0%
191192 49100 Cable Television	205,000	205,000.00	.00	.00	205,000.00	.0%
191411 49000 Codes Miscellaneous	500	500.00	285.45	219.70	214.55	57.1%
191611 49000 Town Clerk Miscellaneous	1,500	1,500.00	251.20	134.50	1,248.80	16.7%
191911 49000 Planning Miscellaneous	0	.00	9.00	-193.92	-9.00	100.0%
191941 49000 Natural Resources Misc	0	.00	217.00	217.00	-217.00	100.0%
192121 49000 Fire Miscellaneous	500	500.00	.00	.00	500.00	.0%

FOR 2010 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
192221 49000 Police Miscellaneous	0	.00	167.60	167.60	-167.60	100.0%
192294 49153 Police Vehicle Sales	12,000	12,000.00	.00	.00	12,000.00	.0%
193131 49000 Public Works Miscellan	0	.00	40.54	17.34	-40.54	100.0%
194141 49000 Human Services Misc	0	.00	46.00	.00	-46.00	100.0%
194545 49000 School Miscellaneous R	228,710	228,710.00	2,850.00	845.00	225,860.00	1.2%
195051 49000 Recreation Miscellaneo	0	.00	441.26	.00	-441.26	100.0%
TOTAL Other	457,710	457,710.00	15,266.23	11,886.39	442,443.77	3.3%
TOTAL REVENUES	457,710	457,710.00	15,266.23	11,886.39	442,443.77	
GRAND TOTAL	51,890,800	51,890,800.00	3,580,700.86	1,713,477.99	48,310,099.14	6.9%

** END OF REPORT - Generated by Julie Henze **

REPORT OPTIONS

Sequence	Field #	Total	Page Break	Year/Period: 2010/ 2
Sequence 1	5	Y	N	Print revenue as credit: N
Sequence 2	0	N	N	Print totals only: N
Sequence 3	0	N	N	Suppress zero bal accts: Y
Sequence 4	0	N	N	Print full GL account: N

Double space: N
Report title: Roll projects to object: N
AUGUST 2009 REVENUE REPORT Incl inception to soy: N
Carry forward code: 1
Print journal detail: N
From Yr/Per: 2009/ 1
To Yr/Per: 2009/12
Include budget entries: N
Incl encumb/liq entries: N
Sort by JE # or PO #: J
Detail format option: 1

Print Full or Short description: F
Print MTD Version: Y
Print Revenues-Version headings: Y
Format type: 2
Print revenue budgets as zero: N
Include Fund Balance: N
Include requisition amount: N

**MANAGER'S REPORT - B
NO BACK UP MATERIALS**

**MANAGER'S REPORT -C
BACK UP MATERIALS**

BOWDOIN COLLEGE

August 17, 2009

Hallie Daughtry
Brunswick Town Council
28 Federal St.
Brunswick, ME 04011

Dear Chair Daughtry and Council Members:

We wanted you to know that Bowdoin College is expanding its Zipcar program in Brunswick to three vehicles with the addition of a Toyota Tacoma extended-cab pickup truck. The Zipcar fleet, which also includes an energy-efficient Honda Civic Hybrid and Honda CRV, is available for use 24 hours a day, seven days a week.

This coming academic year marks the first year the entering students will not be permitted to bring cars on campus. The Zipcar program has proved popular among students, faculty, and staff and we wanted community members to know that they too can use the Zipcars.

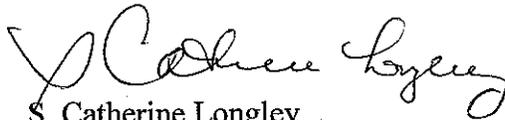
The vehicles are located at 6-8 College Street in Brunswick, on the west side of the Russwurm House lot. These spots are clearly visible, well lit and easy to access.

Zipcar offers the convenience of hourly or daily rentals and includes both gas and insurance in the fee. Zipcar rental rates are:

- Monday–Friday: \$8/hour or \$66/day
- Saturday–Sunday: \$9/hour or \$72/day

The rates include 180 free miles, more than enough to run errands or take a weekend trip. Additional mileage past 180 costs \$.45 per mile. There is a \$50 annual fee, and a one time \$25 application fee to join. To rent one of the three vehicles, simply go to www.zipcar.com/bowdoin to become a member.

Sincerely,



S. Catherine Longley
Sr. VP for Finance and Administration & Treasurer

Cc: Gary Brown

TREASURER'S OFFICE

MANAGER'S REPORT - D BACK UP MATERIALS

Brunswick Police Department

Memo

To: Gary Brown; Town Manager
From: Kevin Schofield; Commander
CC: Chief Rizzo; Communications Supervisor Moeller
Date: September 2, 2009
Re: Freeport Dispatch

Gary, as you are aware we have been working with the Town of Freeport on a proposal to provide all E911 and dispatch services to the town of Freeport. Currently we are the Public Safety Answering Point for the Town of Freeport which means that we answer all of their E911 calls and transfer them to the Freeport Dispatch Center. At this point in time the following steps have been taken to work on this project.

In late May or Early June I met with Ken Knight. Mr. Knight is a radio communications specialist who Freeport hired to consult on what would need to be done to accomplish this project from an equipment / technological stand point. When I met with Mr. Knight, I explained all aspects of our communications systems to him to include radio transmission, Mobile Data Terminal transmissions, telephone systems, alarm panel monitoring and security camera monitoring. Mr. Knight informed me that he would work on a proposal giving different options on what he would recommend in terms of the two towns connecting on these issues. I have not received anything back from Mr. Knight, I am unsure if Freeport has.

Earlier in the summer Chief Rizzo, Communications Supervisor Moeller and I met with the Freeport Police Chief and Fire Chief. They provided us with vital information we need in order to determine how many Communications Officers we would need to perform the required task of providing all Dispatch services to each community. This information included their respective staffing levels, call volumes for Police Fire and EMS and descriptions of ancillary programs that would require some form of effort from Communications Officers. We have also done an in house impact study on call volumes and staffing levels for Police, Fire and EMS calls for Brunswick. At this point in time, although it is not cast in stone, we are leaning towards it would require hiring two additional Communications Officers to adequately provide complete dispatch services to each town plus E911 answering for the Town of Yarmouth that we currently provide as well. I have worked with our Finance Department and have the costs of hiring two additional people inclusive of salary, fringe and clothing costs. We still need to figure overtime costs associated with sick, compensatory and vacation leave associated with the two new positions.

At this point in time I would suggest that once we receive information on what we needs to be done in order to accomplish this project from an equipment / technology stand point we should be able completely access whether we can provide these services and what we would need to charged the Town of Freeport for these services.

MANAGER'S REPORT - E
NO BACK UP MATERIALS

MANAGER'S REPORT – F
BACK UP MATERIALS



BRUNSWICK FIRE DEPARTMENT

**21 Town Hall Place
Brunswick, Maine 04011**

Clark G. Labbe, Chief

Phone (207)725-5541

FAX (207)725-6638

email clabbe@brunswickme.org



Date: July 30, 2009
To: Gary Brown, Acting Town Manager
From: Clark Labbe, Chief
Subject: Emergency Management Performance Grant (EMPG)

Department of Homeland Security funds passed down through the Maine Emergency Management Agency and the Cumberland County Emergency Management Agency have become available to support the local Emergency Management program. This is a reimbursement grant which will return 50% of the local dollars expended on emergency management planning and training and some other specified expenses. This reimbursement can increase up to 100% when the community documents in-kind expenses or volunteer time. This program is retroactive to October 1, 2008.

I would like to place this on a future Council agenda for authorization to apply retroactively for \$9,578.64 reimbursement as well as to track current fiscal year expenses and submit quarterly reimbursement requests in October, January, April and July for FY 2009/2010.

MANAGER'S REPORT –
G, H, and I
NO BACK UP MATERIALS

ITEM 125
BACK UP MATERIALS



Town Clerk's Office
28 Federal Street
Brunswick, ME 04011

PUBLIC HEARING

The Municipal Officers of the Town of Brunswick will hold a Public Hearing at the Municipal Meeting Room, Maine Street Station, 16 Station Avenue, Brunswick, at 7:00 P.M. on 9/8/2009 on the following Alcoholic Beverage license applications:

Full-Time Spirituous, Vinous & Malt

Scarlet Begonias, Inc.

D/B/A: Scarlet Begonias

16 Station Ave. Street

Mr. Douglas Lavallee

CUONG LY

D/B/A: LITTLE TOKYO OF MAINE LLC

72 MAINE ST

CUONG LY

All persons may appear to show cause, if any they may have, why such applications should or should not be approved.

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION
PLEASE CONTACT THE TOWN MANAGER'S OFFICE AT 725-6653 (TDD 725-5521).**

Fran Smith
Town Clerk

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTINONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)

- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
Douglas H. Lavalley DOB: 5-27-60		Scarlet Beyond S	
Colleen F. Lavalley DOB: 1-22-59		16 Station Ave Suite 1	
DOB:		Location (Street Address)	
Address		Brunswick ME 04011	
94 Trout Lily Lane		City/Town State Zip Code	
Brunswick ME 04287		Mailing Address	
City/Town State Zip Code		Same	
Telephone Number		Business Telephone Number	
666 3248 Fax Number		721-0463 Fax Number	
Federal I.D. #		Seller Certificate #	
01-0501889		1018357	

- 3. If premises are a hotel, indicate number of rooms available for transient guests: _____
- 4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 150,000 LIQUOR \$ _____
- 5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire, If YES

- 6. Do you permit dancing or entertainment on the licensed premises? YES NO
- 7. If manager is to be employed, give name: _____
- 8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: Oct. Business hours: 11-9 11-11
- 9. Business records are located at: 16 Station Ave Suite 1
- 10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full, (Print Clearly)	DOB	Place of Birth
Douglas H. Lavelle	5-27-60	N.Y. N.Y.
Catherine F. Lavelle	1-22-59	White Plains N.Y.

Residence address on all of the above for previous 5 years (Limit answer to city & state)
Brownsboro Brunswick

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: Douglas H. Lavelle Date of Conviction: Aug 92

Offense: ODI Location: Topsham Me

Disposition: Complete conviction of ODI

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: ITR Development LLC Brownsboro Me

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Scarlet Begins has been in business for 14 years serving great food. We plan to continue in a larger space w/ a full bar.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 920 ft Which of the above is nearest? church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: 12,000 loan from Bank of Brunswick Me 75,000 loan from MCOG

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000, or both."

Dated at: Brownsboro Me on 8-22-09 20__

[Signature]
Signature of Applicant or Corporate Officer(s)
Douglas H. Lavelle

Please sign in blue ink [Signature]
Signature of Applicant or Corporate Officer(s)
Catherine F. Lavelle

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) - (Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
CUONG LY			Little Tokyo Restaurant		
DOB: 7/27/1961					
DOB:			Location (Street Address)		
DOB:			72 MAIN ST		
Address			City/Town		State
1 FAWN MEADOW LANE			Brunswick		ME
			Mailing Address		Zip Code
			SAME		04011
City/Town		State	City/Town		State
Freeport		ME			Zip Code
		Zip Code			Zip Code
		04032			
Telephone Number		Fax Number		Business Telephone Number	
207-865-6323		207-865-0698			
Federal I.D. #			Seller Certificate #		
LLC.# 270643818					

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ FOOD \$ New LIQUOR \$ New
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire, if YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: CUONG LY
8. If business is NEW or under new ownership, indicate starting date: 9/15/2009
Requested inspection date: Sept 8th 09 Business hours: 11:00 AM - 10:30 PM
9. Business records are located at: 72 MAIN ST Brunswick, ME, 04011
10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
CUONG LY	7/27/1961	VIZNAM

Residence address on all of the above for previous 5 years (Limit answer to city & state)
1 FAWN MEADOW Lane Freeport, ME 04032

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
Offense: _____ Location: _____
Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: Freeman Enterprise LLC.

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 1st Floor & Basement space.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: In process

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile Which of the above is nearest? church.

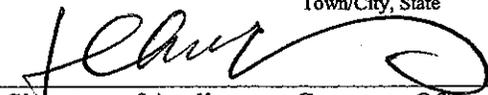
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Brunswick ME on 8/3, 2009


Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

CUONG LY

ITEM 126

BACK UP MATERIALS

DRAFT

EMPLOYMENT AGREEMENT

This Agreement is made as of this 8th day of September 2009, by and between the Town of Brunswick, Maine, a Maine public municipal corporation located in Cumberland County, Maine (“Town”), and Gary Brown (“Employee”).

WHEREAS, Town has selected Employee to fill the position of Town Manager for Town, pursuant to the terms of this Agreement between the parties hereto;

NOW, THEREFORE, based on the mutual covenants and considerations of the parties to this Agreement, Town and Employee agree as follows:

1. Employment and Scope of Duties: Town employs Employee, and Employee accepts employment with Town, to render services and duties to and for Town as the Town Manager. Employee shall render those services and duties provided for under and pursuant to (a) the Charter and Ordinances of the Town, including those set forth in Article III, Section 302 of the Charter, (b) under other applicable laws of the State of Maine, and (c) such other duties and services as may be delegated to Employee by the Town Council of the Town of Brunswick, including but not limited to such job duties and responsibilities set forth in Appendix A attached hereto and incorporated by reference as part of this Agreement.

2. Term of Employment: The term of this Agreement shall be for an indefinite period that shall commence on September 8, 2009. Employee may be removed by Town for cause after notice and hearing in accordance with the procedures set forth in Article III, Section 304 of the Town Charter. The parties mutually agreed that for the purposes of this Agreement, “cause” in instances of removal shall be defined as a just, reasonable, appropriate and substantial reason for termination that relates to Employee’s performance of his duties or the public’s rights or interests, subject to (a) notice to Employee of problems and (b) a reasonable opportunity to correct the problem if in the judgment of the Council the problem is correctable. Employee may terminate this Agreement by giving written notice to the Town at least ninety (90) days prior to the date of termination.

3. Compensation and Benefits: Employee shall have and receive as compensation for his services as Town Manager for the Town:

(a) A salary of Ninety-Eight Thousand, Six Hundred and Thirty-Two Dollars (\$98,632.00) per annum, beginning on September 8, 2009. The parties agree that this payment of salary shall be paid at the same payroll period intervals as other Town employees receive their compensation checks. In addition, Town agrees to consider adjusting said salary and/or benefits of Employee, in such amounts and to such extent as the Council may determine is desirable, at the same time as similar consideration is given other employees annually. Any such evaluation and any performance review will be conducted by the full Town Council.

(b) The Town will provide the Employee with health, dental, life, income protection, and short and long-term disability insurance on the same terms as may be provided to all

DRAFT

other Town employees in the Town Personnel Ordinance. Employee may also elect to participate in the Town's health insurance buy-back provisions in a manner consistent with Article VII, Section 12-71(f) of the Personnel Ordinance.

(c) Town will contribute an amount equal to 5% of Employee's annual salary (\$4,931.00) to the retirement fund established by the International City Managers Association 457 Retirement Fund for the benefit of Employee. Employee will also participate in the Maine State Retirement System, and the Town shall contribute to such participation in a manner consistent with the Personnel Ordinance. It is agreed by the parties that said contribution shall be computed upon the base pay paid to Employee and shall reflect any adjustments in salary that may be given in the future under this Agreement.

(d) Town further agrees to pay the Social Security contributions required of Town as an employer by law.

(e) Town agrees to pay Employee the sum of Three Hundred-Fifty Dollars (\$350.00) per month as vehicle allowance. Town agrees to pay all applicable FICA cost for both Town and Employee under this paragraph 3(e). The parties agree that Employee is to provide his own vehicle, and all fuel, maintenance, insurance and upkeep on said vehicle.

(f) Town will pay for membership dues for Employee's membership in the International City Managers Association for his own professional development. Upon pre-approval of the Council, Employee will be permitted to attend professional conferences and will be reimbursed by the Town for all reasonable expenses upon submission of appropriate documentation.

(g) Town agrees to pay Employee a Fifty Dollar (\$50.00) per month cell phone stipend. Town agrees to pay all applicable FICA cost for both Town and Employee under this paragraph 3(g). The parties agree that Employee is to provide his own cell phone and cell phone service.

(h) Town will reimburse all other costs and expenses incurred by Employee, and will provide any other benefits of employment provided generally to other Town employees not specifically set forth in this Agreement, in a manner consistent with and/or as limited by the Personnel Ordinance.

4. Manager's Service: Employee shall devote all time necessary to the affairs of Town. Employee shall use his best efforts and devote his full time to the performance of his employment under this Agreement. During Employee's employment as Town Manager under this agreement, Employee shall not, at any time or place, either directly or indirectly, hold any other position, except as allowed pursuant to this Agreement or as may be allowed by a majority vote of the Brunswick Town Council. The Town agrees that Employee may reside outside of the Town of Brunswick while employed by the Town, *except that* if Employee moves from his current primary residence at any time after the execution of this Agreement, Employee agrees at all times thereafter to reside in the Town of Brunswick while employed as Town Manager.

DRAFT

5. Vacation: Commencing on September 8, 2009, Employee shall receive and accrue vacation at the rate of 2.308 hours per week, consistent with the Town's Personnel Ordinance. Employee shall also receive five (5) compensation days per annum. Employee shall also retain all vacation and compensation time already accrued by him prior to September 8, 2009. Accumulated vacation and compensation pay shall be paid to Employee upon the termination of his employment based on his rate of pay on that date, or in accordance with Paragraph 7 herein, if applicable. Employee shall not use more than ten (10) vacation days in any thirty-day period without prior approval of the Chairperson of the Town Council.

6. Sick Leave and Bereavement Leave: Employee's sick and bereavement leave use and accrual is governed by the Town's Personnel Ordinance. Employee shall also retain all sick leave accrued by him prior to September 8, 2009.

7. Severance Benefit: Upon termination of this Agreement by the Town for any reason other than for cause, the parties mutually agree that the Town shall pay Employee a lump-sum monetary severance benefit equal to six (6) months of then-current salary (less all normal and usual deductions), and that Employee agrees to execute a general release and waiver of claims in consideration of such payment. Employee acknowledges by his signature below that the severance amount set forth in this Paragraph is a fair, sufficient and reasonable amount agreed upon by the parties. The six (6) month severance payment shall incorporate all accrued vacation and compensation time as of the last date of employment, but in no event shall the inclusion of accrued vacation and compensation time cause the severance payment to exceed six (6) months of pay. No severance benefit will be paid in the case of any termination for cause, any voluntary resignation by the Employee, or any cessation of employment caused by death and/or disability.

8. Charter and Personnel Ordinance Provisions: The parties agree that any other terms and conditions of employment not specifically covered under the Town Charter or this Agreement shall be governed and controlled by the Town's Personnel Ordinance.

9. Assignment Prohibited: This Agreement is personal in nature to each of the parties hereto, and Employee may not assign or delegate any of the rights or obligations hereunder to any third party.

10. Amendments: No amendment or additions to this Agreement shall be binding upon the parties hereto, unless first reduced in writing and signed by both parties, except as may be provided by law. This Agreement replaces and supersedes all prior agreements, oral or written, between the parties, and represents the complete terms of the Agreement between the parties.

11. Governing Law: This Agreement shall be governed in all respects, whether as to its validity, construction, capacity, performance, or otherwise, by the laws of the State of Maine.

12. Mediation: After the execution of this Agreement, the parties agree to submit any substantive dispute over the terms and conditions of this Agreement to non-binding mediation. Such mediation will be conducted by a person mutually agreed-upon by the parties. The parties agree to share equally in the cost of any such mediator, and to be individually responsible for their own respective costs of mediation, including any attorney's fees.

DRAFT

13. Effective Date: This Agreement shall become effective on September 8, 2009.

In Witness, Whereof, the parties hereto have executed this four- page Agreement as of the date set forth below.

September 8, 2009

Town of Brunswick, Maine

By: _____

Chairperson, Brunswick Town Council

By: _____

Gary Brown

**APPENDIX “A”
TOWN MANAGER
POSITION SPECIFICATION**

MAJOR AREAS OF RESPONSIBILITY

Directs town administration and operations in accordance with sound municipal management principles, town ordinance, and applicable state and federal laws.

Advises the Town Council on technical issues regarding budget, funding, policy and procedural issues. Ensures that the policies and directives of the Council are enacted in an efficient, effective and timely manner.

Assists the Council to develop and formulate long-range objectives and programs and by proactive efforts to anticipate and address future needs.

Serves as leader and role model to subordinate Town employees to motivate and integrate their needs with the needs of the organization. Contributes to the effective administration of Town government by fostering an attitude among staff that encourages cooperation, coordination of efforts, efficient use of resources and a service orientation to the citizenry. Ensures the establishment of programs designed to maintain positive employee relations.

Serves as resource of vital information by seeking and receiving relevant data, and disseminating it to officials, departments and citizenry as needed.

Responsible for conflict management within the Town administration, by responding to problems and opportunities to take action, by planning for constructive change as required, and by allocating resources to various uses within the Town.

Directs the formulation and implementation of the Town budget and capital improvement programs, by establishing controls, identifying funding sources and directing the administration of grants programs that will ensure the financial integrity of the Town.

PEER RELATIONSHIPS

While the Town Manager has no organizational peers, s/he works closely with the Town Council; department heads; the Town Attorney; officials of the State of Maine, the Maine Municipal Association, Brunswick School Department, Brunswick-Topsham Water District and Brunswick Sewer District; as well as officials from neighboring communities such as Bath, Topsham and Freeport. Along with the Council Chairperson and Council members, s/he is a representative of the Town with citizen groups, the business community, the media, other public agency executives, the Brunswick Naval Air Station and Bowdoin College.

The Town Manager represents the Town with various advisory boards and commissions, but primarily with the library board, the Military Community Council, the 55+ Center Board of

Trustees, the Industrial Development Commission, civic and professional organizations. S/he also serves as principal coordinator for intergovernmental relations.

SUPERVISORY RESPONSIBILITY

The Town Manager directly supervises the Administrative Assistant/Personnel Director, Executive Secretary, and department directors of Finance, Codes Enforcement, Planning, Welfare, Police, Fire, and Public Works. S/he shares supervisory responsibilities of the Department of Parks and Recreation with the Recreation Commission. The Town Manager also works closely with the Assessor and Town Clerk, who are appointed by Council; and the Town Attorney, who is contractually appointed by the Council for annual terms.

EXPERIENCE DESIRED

Five to seven years senior level management experience as a town or city manager in a progressive, high growth community. Public sector experience is mandatory with a demonstrated background of working with a Council, citizens' committees and advisory boards.

Demonstrated ability to negotiate and develop a team approach to problem solving with staff, to develop harmony with a diverse political climate, and to guide groups into successful consensus decisions.

The individual will also have experience in taking an active role in community relations, and must be willing to devote the time to establish a positive presence for Town government with various organizations. Of particular importance is experience in the following areas:

- Financial/budget management
- Strategic planning
- Community development
- Economic development
- Employee/labor relations
- Community relations
- Team building and conflict resolution

DESIRED EDUCATION

A combination of education, formal training and experience which demonstrates an ability to perform the duties and responsibilities as outlined in this specification will be required. It is expected the successful candidate will hold a bachelor's degree in business or public administration, and a master's degree in public administration or public policy.

PERSONAL CHARACTERISTICS

The manager must be capable of assuming the role of technical advisor and administrator, while remaining mindful that the council is the policy-setting body. The individual should be sensitive to political realities, but non-partisan in approach. The new manager will have a high energy level, and comfortable performing multifaceted projects in conjunction with day-to-day activities. The manager should have superior interpersonal abilities, and be able to get along with diverse personalities by being tactful, mature, and flexible.

The successful manager will demonstrate sound judgment and good reasoning abilities, excellent communication skills, and a participative management presence combined with the flexibility to reach compromise for the benefit of the entire community. The manager will have strong persuasive skills and logic, which are demonstrated in a clear and articulate manner. He/she will be a good listener who encourages and respects the views of others, and will maintain the established "open door policy" of the Town offices.

The successful manager will effectively balance the needs of people and processes, and will seek to utilize and encourage the talents of staff and subordinates. The manager must demonstrate the person ethics, morals and general conduct so as to be above reproach and able to withstand intense public scrutiny appropriately.

ESSENTIAL FUNCTIONS

Ability to see well enough to do job requirements.

Ability to read, speak, and write in English.

Ability to hear well enough to do job requirements.

Ability to learn at fast rate.

Strong knowledge of English language and how to communicate using it.

Ability to work independently.

Ability to supervise.

Ability to hear well enough to use phone.

Ability to handle mentally and emotionally disruptive or disquieting influences.

Ability to arrange or deal with tasks in order of importance.

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BACK UP MATERIALS



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

PHONE: 207-725-6660

FAX: 207-725-6663

August 20, 2009

Memo to: Brunswick Town Council
Gary Brown, Acting Town Manager
From: Kris Hultgren, Town Planner
Subject: Proposed Zoning Amendment for Small Wind Energy Systems, Final Draft

Please find attached a copy of the final draft of the proposed zoning amendment to allow the use of Small Wind Energy Systems (SWES) in all zoning districts as recommended by the Brunswick Planning Board on August 4, 2009. The standards were created by reviewing SWES ordinances in Maine and across the country as well as through discussions with planners, installers, consultants and others who work directly with small wind energy systems.

It is requested that the Town Council move to set a public hearing for the final adoption of the zoning amendment.

The proposed amendment creates performance standards to regulate height, bulk and noise. It also includes setback standards to protect against a falling tower, over-speed controls to keep blades from spinning too fast and access restrictions to prevent climbing. The ordinance requires a roof-mounted SWES be approved by an architectural engineer prior to installation to guard against vibrations associated with the installation comprising the structural integrity of the supporting building.

The proposed amendment would allow the use of a SWES in all districts in Brunswick; however, an installation may be taller with longer blades in rural areas where it is likely to operate more efficiently due to a better wind resource and less wind turbulence caused by surrounding structures. Approval for installing an SWES would come by receiving a building permit from the Codes Enforcement Office.

Thank you for considering this request. I will be available at the Town Council meeting to answer questions.

Proposed Amendments to the Brunswick Zoning Ordinance to Implement the Use of Small Wind Energy Systems (SWES) in all zoning districts, *as recommended by the Brunswick Planning Board, August 4, 2009.*

Section 111 Definitions:

Small Wind Energy System (SWES). A wind-driven machine that converts wind energy into electrical power for the primary purpose of on-site use and not for public resale.

306.24 Small Wind Energy Systems

Small Wind Energy Systems (SWES) shall be reviewed according to the following:

For lots located in the Rural Area the following standards apply:

- A. An SWES shall have a maximum height of 125 feet from the ground level to the systems highest point.
- B. All components of an SWES used to generate electricity including blades and all accessory parts shall not have a diameter of more than 25 feet.
- C. On lots less than three (3) acres in size, no more than one (1) SWES installation shall be allowed. On lots of three (3) acres or more, up to three (3) systems shall be allowed.

For lots located in the Growth Area the following standards apply:

- A. An SWES shall have a maximum height of 80 feet from the ground level to the systems highest point.
- B. All components of an SWES used to generate electricity including blades and all accessory parts shall not have a diameter of more than 15 feet.
- C. One SWES per lot shall be allowed.

The following standards apply to Small Wind Energy Systems located in both Rural and Growth Areas:

- A. A building permit from the Codes Enforcement Officer is required prior to installation.
- B. All parts of an SWES shall be setback from all property lines, public rights-of-way, overhead utility lines and all dwelling units a minimum distance equal to the total height of the system measured from the ground to the systems highest point or the minimum setback of the district in which the system is located, whichever is greater.

- C. An SWES shall not exceed the noise standards set forth in Section 109.4 of the Zoning Ordinance.
- D. An SWES shall not be lighted and shall not display any signs, writing, symbols or graphic representations of any kind except appropriate manufacturer's or installer's identification and warning signs.
- E. The minimum distance between the ground and all blades of an SWES shall be 25 feet as measured at the lowest arc of the blades.
- F. The SWES shall be designed and installed such that unauthorized public access via step bolts or a ladder is prevented for a minimum of 12 feet above the ground.
- G. An SWES which is not generating and has not generated electricity for twelve (12) consecutive months shall be deemed abandoned and shall be dismantled by the owner within 120 days of receipt of notice from the town unless the SWES is not in operation due to the property being in the process of being sold. A system owner may request in writing to the Codes Enforcement Officer an extension of up to one (1) year if the owner is actively pursuing the repair of the system for future use.
- H. An SWES shall be equipped with both manual and automatic over-speed controls.
- I. An SWES must comply with applicable town, state and federal regulations, including any necessary approvals for installations within FAA regulated zones.
- J. All roof-mounted small wind energy systems must be approved by an architectural engineer prior to installation.

The following submission requirements for a building permit apply for Small Wind Energy Systems located in both Rural and Growth Areas:

- A. Description of the project including specific information on the type, size, tower type and height, rotor material and diameter, rated power output, performance, safety and noise, manufacturer and model of SWES.
- B. Evidence that the proposed height of the SWES does not exceed the height recommended by the manufacturer of the system.
- C. Structural drawings of the wind tower, base or foundation, prepared by the manufacturer or a professional engineer. If attachment to an existing structure is proposed, a description or drawing acceptable to the Codes Enforcement Officer shall be submitted.
- D. If connection to the publicly regulated utility grid is proposed, evidence making clear that the utility is aware of the proposed connection and finds it acceptable.
- E. Photographs of the proposed site.

- F. A site plan depicting setbacks to all property lines.
- G. Any additional information deemed necessary by the Codes Enforcement Officer.

ITEM 128

NO BACK UP MATERIALS

ITEM 129

NO BACK UP MATERIALS

ITEM 130

BACK UP MATERIALS

TOWN OF BRUNSWICK
TOWN MANAGERS OFFICE
MEMORANDUM

TO: Brunswick Council

FROM: Gary Brown, Acting Town Manager

DATE: September 2, 2009

RE: Maine Street Station- Visitor Center/Train Station Recommendation

At the July 20 Council meeting, the Council authorized the issuance of **requests for proposals** for entities to provide property management services for the space the Town is leasing at Maine Street Station. This space is intended to serve as a combination train station and visitor's center.

Requests for proposals (RFP's) were directly mailed to 5 entities that advertise property management services. An advertisement was placed in the Times-Record Newspaper. Responses were due to the Manager's office on August 28. One response was received from the Brunswick Downtown Association and is included in the Council agenda packet.

The Maine Street Station Oversight Committee met on Monday of this week (August 31st) and discussed the proposal. The Committee is recommending that the Council authorize the Town Manager to negotiate terms with the BDA. At the conclusion of the negotiations the MSSOC will review the terms and return to the full Council with a recommendation for consideration.

Brunswick Downtown Association
PO Box 15
85 Maine Street
Brunswick, ME 04011-0015

August 27, 2009

Gary Brown
Town Manager
Town of Brunswick
28 Federal Street
Brunswick, Maine 04011

RE: Proposal for Property Management Services / MSS Visitor Center.

Dear Gary,

The proposal is submitted in response to your RFP dated July 31, 2009 which solicits proposals for the purpose of managing the 2,125 SF space within building #3 of the Maine Street Station project that has been leased by the Town of Brunswick for development and use as a visitor center and multi-modal transportation station (the Station). We are pleased to respond as follows.

The Brunswick Downtown Association (the BDA) proposes to provide the Town of Brunswick (the Town) with the following property management services:

- 1) **Subtenant Development:** BDA proposes to assist in identifying prospective, suitable subtenants for the Station, working closely with the Economic Development Department of the Town (the EDD), and to further assist in the subleasing process, subtenant space fit-up and initial occupancy arrangements. The Town will enter into sublease agreements with any such subtenants upon such terms and conditions that it may deem suitable. If the Town elects to obtain lease brokerage services, it shall pay any commission's payable under any such arrangement.

- 2) **Subtenant Management:** BDA proposes to collect subtenant rents on a monthly basis and work with such subtenants to resolve tenancy issues, in consultation with EDD, with an overall goal of creating a positive experience for both subtenants and visitors to the Station.
- 3) **Station Start-up:** BDA will assist the EDD with the initial design and construction of the build-out and fit-up of the Station. The Town shall provide for all public seating, waste receptacles, wall art, exterior signage, window coverings, ADA compliance, and for any other expenses it incurs in the fit-up of the Station for the general public. Subtenants shall be expected to pay for the cost of their interiors walls to include interior windows and doors, gates, counters, security fencing, electric outlets and communications wiring. JHR shall be providing ceilings, lighting, flooring and HVAC/sprinkler connections.
- 4) **Maintenance:** BDA will coordinate with the EDD as to the hours of operation of the Station with such established hours to be dependent upon the demand of the public and subtenants for access to the Station. BDA will be responsible for securing the Station and for providing access. In consultation with the EDD, BDA proposes to contract for professional janitorial services for the common areas of the Station, to specifically include servicing the public bathrooms. Such janitorial services will be delivered on an "as needed", "least intrusive" basis, in consultation with the EDD, giving consideration to the volume of visitors and users of the train and bus services and the employment levels of the existing subtenants. The BDA will also provide for the overall appearance of the Station, to include the management of rotating art, and the timely maintenance and repair of the HVAC system, bathroom facilities, common area furnishings, and interior finishes that are not otherwise the responsibility of JHR (and related entities), the subtenants and/or the Town. BDA will ensure that uses of the Station are consistent with the Town's master lease and any succeeding Town subleases, approvals and/or policy statements.

- 5) **Financial Management:** BDA shall retain 15% of the gross subtenant rent collected monthly as partial compensation for its management services. In addition to janitorial services (as hereinbefore described), BDA will contract for the provision of water, sewer, heating fuel, wifi internet (for subtenants and visitors) , a master security system if deemed to be required, and electricity for the Station. BDA shall pay for all such utilities on a timely basis, using the net rent collected from the subtenants. If for any reason beyond the control of the BDA, that insufficient rents are collected to pay for the maintenance costs and utility bills, then the BDA shall immediately advise the EDD, who shall make timely arrangements to obtain the supplemental funds necessary to make such payments prior to the accrual of interest or penalty. Any excess rent collected shall be returned to the Town periodically at yearly intervals.

- 6) **Term:** An initial term of one year, as proposed by the RFP, will be acceptable, along with the proposed terms of cancellation, termination and renewal.

- 7) **Liability Insurance:** The BDA currently is broadly insured, to include liability insurance, and will broaden its coverage, to the extent reasonably required by the Town, to cover both the management of the Station and our sub-tenancy operation of the visitor center.

As you know, the BDA Board is comprised of members experienced in commercial and residential property development and management. In addition, we recently hired a full-time Executive Director with more than 25 years of business experience that includes multi-site facility management.

The timing of the visitor center along with our initiatives to develop aggressive new marketing programs will work synergistically with our combined efforts toward the continued downtown vitalization work. We are confident that our past successes, our experienced staff and our new Executive Director, that the BDA is in the best position to manage the

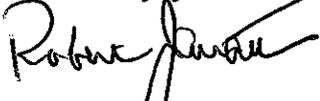
visitor center and meet the objectives of the town council and staff and the expectations of our citizens.

This proposal is submitted subject to the Brunswick Downtown Association entering into a lease to operate the visitor's center component of the Station space on a basis that is broadly consistent with our previous correspondence and discussions. Attached for your review is an addendum that outlines the basic terms and conditions of our proposed sub-tenancy.

The Maine Street Station Project and its Visitor Center are a major undertaking and step forward for the Town of Brunswick. We look forward to working with the town council and their staffs to provide our citizens and the people that come to visit or work in Brunswick with an outstanding experience.

Thank you for your consideration in this matter. We look forward to hearing from you soon. Please feel free to contact myself or the BDA Executive Director with any questions you may have.

Sincerely yours,



Robert Jarratt

Chair, Brunswick Downtown Association

Attachments: Proposed terms of sublease

**PROPOSED TERMS OF SUBLEASE FOR SPACE
WITHIN THE MAINE STREET STATION
VISITOR CENTER**

LESSEE: Town of Brunswick
SUBLESSEE: Brunswick Downtown Association
DATE: August 27, 2009

SPACE: Approximately 80 sq ft. or an 8'x10' space abutting men's bathroom for information booth with counter (all to be later designed). Approximately 600 sq ft. of divided' BDA office space near or next to the information booth. Use of exterior courtyard space, interior lobby space (as available) for the placement of informational and/or advertising kiosks. Use of exterior wall space in the courtyard area fronting the center and a strip of interior wall space that totals 4' x 16' from mid wall to ceiling for the placement of informational and/or advertising displays. The subleased space shall include a minimum of two nearby parking spaces for BDA/Center staff plus adequate convenient parking for visitors to the center

SIGNAGE: All exterior signage, both on-site and off-site shall be designed, permitted and installed at the sole cost of Lessee with Sublessee to be consulted as to the proposed design and placement of all such signage.

TERM: The term shall commence upon the execution of a sublease and continue for an initial term of five years. Sublessee shall have an option to renew such sublease for an additional, succeeding five year term at the same terms as the initial sublease. Both parties have the right with or without cause to terminate the lease with 120 days of advance written notice.

COST: Sublessee shall pay no rent, operating expenses or utility expenses during the initial term or any renewal thereof. Sublessee shall pay its own

costs for telephone and internet (unless wifi is a utility cost/benefit for the visitor's center) and for janitorial service to the booth and office areas.

SECURITY DEPOSIT: None.

USE: At its cost, Sublessee will design, construct, equip, inventory, staff and operate the information booth at days and times that are responsive to the seasonal, daily and hourly demand for visitor services. Staffing decisions will be conducted in close consultation with Lessee's designated staff. Sublessee shall also, at its cost, provide for inside and courtyard kiosks and other informational displays for the purposes of providing information to the visiting public and to provide advertising opportunities to provide income to finance the cost of such kiosks and displays and for the staffing of the information booth. The development of any and all such information booths, kiosks and displays shall be with the prior approval of Lessee and JHR, such approval not to be unreasonably withheld, delayed or restricted. Sublessee shall be exclusively authorized to market the Town and surrounding area and area businesses and shall be entitled to exclusively retain all revenues generated from such functions and activities. Sublessee shall make a good-faith effort to expeditiously make the information booth operational while Lessee recognizes that once a sublease is executed it will take time to design, permit, construct and fit-up the booth. The development of kiosks and displays will likely only be completed for the commencement of summer train service in 2010. The Sublessee shall also pay for the wall construction for its office to include electric wall outlets and cabling in both the office and the information booth. It is understood that the owner of the center building will be paying for the cost of flooring, ceilings, lighting, HVAC and sprinkler service for the booth and office area, and will consult and cooperate with Lessee and Sublessee as to the installation of such.

INSURANCE:: Sublessee shall carry general insurance liability coverage in an amount, and upon such terms, as reasonably required by Lessee.

LOAN OPTION: If deemed necessary by Sublessee, Lessee shall make available to Sublessee, through the BDC, a revolving loan fund of \$25,000.00 to fund the initial expenses of the BDA to construct and fit-up the booth. Such fund shall have a three year term for full repayment at a simple interest rate of 5.0% for funds borrowed. To allow for the build-up of advertising revenues, accrued interest shall be paid in full at the end of the first 360 days of borrowing, and thereafter, shall be paid quarterly. Principal shall be paid as Sublessee's income allows, but shall be paid in full at the end of the three year period.

ITEM 131, 132, and 133
NO BACK UP MATERIALS

ITEM 134
BACK UP MATERIALS

BRUNSWICK CITIZENS

The Brunswick Town Council will be appointing Brunswick citizens on Tuesday, September 8, 2009, to the following Boards and/or Committees:

Brunswick TV3 Educational Channel Committee

2 Citizen members – Special Committee no set term

Cable TV Committee

5 members – 3 year terms to expire on 09/06/2012

Citizen Initiative Ballot Clarity Board

1 citizen member – No Set Term

Conservation Commission

1 member – 3 year term to expire on 05/01/2012

Davis Fund Committee

3 members – 3 year terms to expire on 06/30/2012

1 member – Balance of 3-year term to expire on 06/30/2010

Fair Hearing Authority

2 members – 2 year terms to expire on 10/01/2010

Marine Resource Committee

1 Alternate – balance of 3 year term to expire on 05/01/2010

People Plus Board of Trustees

1 member (Brunswick residents) – 3 year term to expire on 07/01/2012

Sewer District Trustees

1 member – 3 year term to expire on 04/01/2012

Trust Fund Advisory Committee

1 member – 3 year term to expire on 05/10/2012

Village Review Board

1 member – balance of 3 year term to expire on 10/20/2009

Zoning Board of Appeals

1 Associate member – balance of 3 year term to expire on 12/18/2011

1 Associate member – 3 year term to expire on 07/01/2012

Interested citizens should complete an application form, available in the Town Clerk's Office or the Town Manager's Office. Please return applications to the Town Clerk's Office by 4:30 P.M. on Monday, August 24, 2009

Individuals needing auxiliary aids for effective communication, please contact the Town Manager's Office at 725-6653 (TDD 725-5521).

Times Record 08-7-2009

Summary of Received

8/25/2009

				Date of Application
Cable Television Committee				
Charles Priest		9 Bowker St.	725-5439	7/20/2009
<u>Will this be a reappointment</u> yes		<u>Interview Time: 6:15 p.m.</u>		
Elsie Van Savage		11 Algonquin Ln	725-5809	8/6/2009
<u>Will this be a reappointment</u> Yes		<u>Interview Time: 7:15 p.m.</u>		
Davis Fund Committee				
Daniel Doiron		20 Cushnoc Ln	725-8799	8/24/2009
<u>Will this be a reappointment</u> No		<u>Interview Time: 8:00 p.m.</u>		
Millie Stewart		281 Old Bath Rd	725-5452	5/11/2009
<u>Will this be a reappointment</u> Yes		<u>Interview Time: She would like to have a phone interview</u>		
Sande Updegraph		724 Durham Rd	725-1345	8/5/2009
<u>Will this be a reappointment</u> Yes		<u>Interview Time: 7:45 p.m.</u>		
Water District Trustees				
Harold Hutchinson		230 River Road	725-5227	8/3/2009
<u>Will this be a reappointment</u> Yes		<u>Interview Time: 6:30 p.m.</u>		
Richard Moll		38 Federal Str	725-5889	8/5/2009
<u>Will this be a reappointment</u> Yes		<u>Interview Time: 6:45 p.m.</u>		

(These two appointments should be done in October to allow for two months of Advertising)

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
AUG 24 2009 Date App. Received
Date App. Entered
Appointed

Full Name: DANIEL P. DOIRON Date 8/19/2009

Street Address: 20 CUSHNOC LANE

Home Telephone #: 725-8799 E-mail Address: ddoiron@arbepa.com I live in Council District #: 2

I wish to be considered for appointment to the:
DAVIS FUND COMMITTEE

(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:
FULL MEMBERSHIP STATUS: K TERM BEGINS: 3 YR TERM
and/or
ASSOCIATE MEMBERSHIP STATUS: _____ TERM EXPIRES: _____

Do you currently serve on any Town Board/Committee/Commission? No If so, please state name of Board/Committee/Commission and the number of years of service:
Number of Years _____ Date term expires _____

Occupation: CERTIFIED PUBLIC ACCOUNTANT

Employer: ALBIN, RANDALL + BENNETT Work Telephone #: 207-772-1981 / 751-8790
CELL

List any civic organizations to which you belong:
ME ESTATE PLANNING COUNCIL / ST. JOHN'S SCHOOL BOARD

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
PLEASE SEE ENCLOSED COVER LETTER

Have you previously served on a Town board/committee/commission? No If so, please list the board/committee/commission and years of service:

D. P. D.
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application allows a person to be considered for all Town Board/Committee positions and does not guarantee placement on a Board/Committee.

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: DAVIS FUND COMMITTEE

Term Length: 3 YRS.

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

SEE COVER LETTER

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

SEE COVER LETTER

3. Why would you like to be on the Board/Committee/Commission?

SEE COVER LETTER

4. Are you aware of the time involved and would you be able to attend most of the meetings?

SEE COVER LETTER

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NOT THAT I AM AWARE OF

6. Do you have anything you would like to add?

PER CONFLICT OF INTEREST STATEMENT HERE AND HAVE APPLICANT RESPOND TO THIS ONLY

DANIEL P. DOIRON
20 CUSHNOC LANE
BRUNSWICK, ME 04011
207-725-8799

August 21, 2009

To Whom It May Concern:

Enclosed is my completed Application for Appointment to the Davis Fund Committee.

I was born and raised in Brunswick and have been a resident of the Town for most of my life. I am a Certified Public Accountant and practice public accounting with Albin, Randall & Bennett, CPAs. I have been a partner with Albin, Randall & Bennett since 1996.

I am a graduate of Brunswick High School, Class of 1983. I am also a summa cum laude graduate of the University of Southern Maine, Class of 1987. In passing the May 1987 CPA Examination, I was awarded the State of Maine Gold Medal for achieving the highest passing grades in the State on all four parts of the examination.

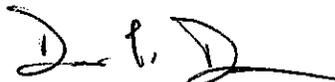
Currently, I am privileged to provide tax preparation and other advisory services to some of the largest private foundations in the State of Maine. I believe this experience will be useful in service on the Davis Fund Committee.

I do have questions about the time commitment involved with service on the Committee. I know in general what the charge of the Committee is, but have never had direct exposure to the Committee and how it operates. So, I would appreciate speaking with someone about these issues.

I would like to be on the Committee because I believe it would be a great way to be involved with the Town of Brunswick and to assist worthwhile charitable projects.

I currently serve on the Board of Saint John's School, but that commitment will be ending in the next few months. I believe I would have the time to attend the Davis Fund Committee events and to provide service to the Committee.

Thank you for your consideration.



Daniel P. Doiron

8/26
6:15pm

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only	
7-20-09	Date App. Received
_____	Date App. Entered
_____	Appointed

Full Name: Charles R. Priest Date 7-17-09

Street Address: 9 BOWKER ST.

Home Telephone #: 725-~~725~~ 5439 E-mail Address: cpriestlaw@swi-net I live in Council District #: 5

I wish to be considered for appointment to the:

Cable TV Committee

(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS: _____

TERM BEGINS: 9-6-09

and/or

ASSOCIATE MEMBERSHIP STATUS: _____

TERM EXPIRES: _____

Do you currently serve on any Town Board/Committee/Commission? YES If so, please state name of Board/Committee/Commission and the number of years of service:

Cable TV Committee Number of Years _____ Date term expires 9-6-09

Occupation: Lawyer

Employer: Self Work Telephone #: 622-3789

List any civic organizations to which you belong:

Chair, Brunswick Sewer District; Pejepscot Historical Society;
BT Land Trust; Maine Legislature

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Have served on committee since 1990's

Have you previously served on a Town board/committee/commission? Yes If so, please list the board/committee/commission and years of service:

Town Council - 8 yrs

Charles R. Priest
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions *** YES.

PLEASE NOTE: This completion of this application does not guarantee that the applicant will be considered for a Town Board/Commission or that this is a final placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Cable TV Committee

Term Length: 2 yrs

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

Service on Cable TV Committee since 1990's

3. Why would you like to be on the Board/Committee/Commission?

To continue and expand public access to town and regional governmental meetings and activities, and, as well, educational activities in the Town of Brunswick

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

I have enjoyed my prev. serv. on the Town Television Committee.

THE COMPLETION OF INTEREST STATEMENT HERE AND BY THE APPLICANT SIGNIFY THERE IS ONE

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only	
AUG - 5 2009	Date App. Received
	Date App. Entered
	Appointed

Full Name: Sande Updegraph Date 8-3-09
Street Address: 724 Durham Road
Home Telephone #: 725-1345 E-mail Address: sandeu@gwi.net I live in Council District #: 4

I wish to be considered for appointment to the:
Davis Fund
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:
FULL MEMBERSHIP STATUS: TERM BEGINS: 7-1-09
and/or
ASSOCIATE MEMBERSHIP STATUS: TERM EXPIRES: _____

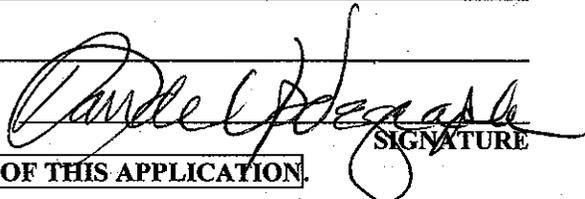
Do you currently serve on any Town Board/Committee/Commission? If so, please state name of Board/Committee/Commission and the number of years of service:
Davis Fund Number of Years 3 Date term expires 6-30-09

Occupation: Exec Director
Employer: Freeport Economic Development Corp Work Telephone #: 865-4743x117

List any civic organizations to which you belong: (NGOs)
TrainRiders Northeast Brunswick Downtown Assoc
Tri-County Literacy, Jr. Olympics Committee (Cave Water)

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
Great organizational skills; 4 yrs experience working with Town of Freeport; 3 years on Davis Fundante

Have you previously served on a Town board/committee/commission? Yes If so, please list the board/committee/commission and years of service:
Davis Fund - 3 yrs


SIGNATURE

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You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application allows a person to be considered for a Town Board/Committee but does not guarantee placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Davis Fund

Term Length: 3 yrs

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

Knowledge of local activities, interest in enhancing Brunswick's reputation as an exciting place to live & visit.

3. Why would you like to be on the Board/Committee/Commission?

I like meeting with project directors and helping to boost their efforts.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

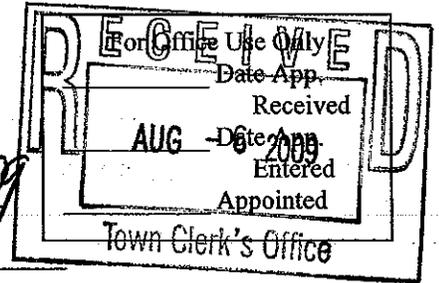
No

6. Do you have anything you would like to add?

I love being a part of Brunswick's enrichment.

FOR CONFIDENTIALITY STATEMENT PLEASE PRINT AND HAVE APPLICANT RESPONDENT SIGN

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission



Full Name: LC VAN SAVAGE Date 7/13/09
Street Address: 11 ALGONQUIN LA.
Home Telephone #: 725-5809 E-mail Address: LCVS@SUSCOM - MAINE, NET I live in Council District #: _____

I wish to be considered for appointment to the:
CABLE TV Committee
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:
FULL MEMBERSHIP STATUS: TERM BEGINS: 9/6/09
and/or
ASSOCIATE MEMBERSHIP STATUS: TERM EXPIRES: 9/6/10?

Do you currently serve on any Town Board/Committee/Commission? _____ If so, please state name of Board/Committee/Commission and the number of years of service:
Number of Years _____ Date term expires _____

Occupation: SELF

Employer: _____ Work Telephone #: 725-5809

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
5 Years of Doing TV-Access - Now on MPBN

Have you previously served on a Town board/committee/commission? _____ If so, please list the board/committee/commission and years of service:

SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application allows a person to be considered for a Town Board/Committee/Commission, but does not guarantee placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: _____

Term Length: UNTIL I HAVE to fill this out again.

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

NO

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

TV Show "INCREASIBLE MANS" + "LC'S TAKE" & "LC & Co."

3. Why would you like to be on the Board/Committee/Commission?

NO

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NO

6. Do you have anything you would like to add?

FOR CONFLICT OF INTEREST STATEMENT, PLEASE PRINT AND HAVE APPLICANT RESPOND IN PERSON ONLY

Town of Brunswick

Application for Appointment to Board/ Committee/ Commission

For Office Use Only	
5/09	Date App. Received
	Date App. Entered
	Appointed

Full Name: Millie Stewart Date 5-11-09

Street Address: 281 Old Beth Rd Brunswick

Home Telephone #: 725-5452 E-mail Address: _____ I live in Council District #: 5

I wish to be considered for appointment to the:

Doris Fark Committee

(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS:

TERM BEGINS: _____

and/or

ASSOCIATE MEMBERSHIP STATUS: _____

TERM EXPIRES: _____

Do you currently serve on any Town Board/Committee/Commission? yes If so, please state name of Board/Committee/Commission and the number of years of service:

Doris Fark Committee Number of Years ? Date term expires 6-30-09

Occupation: Director of Volunteer Services

Employer: Mid Coast Hospital Work Telephone #: 373-6015

List any civic organizations to which you belong:

Home To Home Board / American Assn. of University Women,
MCCH Auxiliary / UMaine mid coast alumni

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Previous occupations - newspaper reporter

Have you previously served on a Town board/committee/commission? yes If so, please list the Board/committee/commission and years of service:

Chair - 250th anniversary Committee of Town - 4 years

Millie Stewart
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

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You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions



APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Donis Fund Committee

Term Length: 3 years

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

no

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

Yes - U Maine Graduate
long time resident of Brunswick
Chair of Donis Fund Committee a long time

3. Why would you like to be on the Board/Committee/Commission?

interest in town

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

No



CONSENT AGENDA - A BACK UP MATERIALS

-Draft-
BRUNSWICK TOWN COUNCIL
MINUTES
August 3, 2009
5:00 P.M. – Executive Session
7:00 P.M. – Regular Meeting Begins
Old Times Record Building
6 Industry Road

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Joanne T. King, and Deborah R. Atwood.

Councilors Absent: None

Town Staff Present: Gary Brown, Acting Town Manager; Fran Smith, Town Clerk; Dave Markovchick, Director of Economic and Community Development; John Foster, Public Works Director; Craig Worth, Deputy Public Works Director; Anna Breinich, Director of Planning and Development; Kris Hultgren, Town Planner; and TV video crew.

Chair Daughtry called the meeting to order, and asked for roll call.

Executive Session: Personnel Matter Per 1 M.R.S.A. § 405(6)(A) for the purpose of discussing the Town Manager position

Councilor Tucker moved, Councilor Watson seconded, to go into executive session to discuss a Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of discussing the Town Manager position. The motion carried with nine (9) yeas.

Chair Daughtry resumed the meeting and asked for the Pledge of Allegiance.

Public Comment:

Keith Garovoy, representative of the Brunswick Downtown Association, reminded citizens of the Brunswick Outdoor Arts Festival and gave an overview of it.

Correspondence:

Reminders were given for the Peace Works Fair on the Town Mall and the Community Day of Emergency Preparedness program on Saturday, September 12, 2009, from 11:00 a.m. to 3:00 p.m. at the library.

A copy of letters from Nancy Zugehoer, 20 Pogy Lane, regarding issues with the removal of illegally dumped trash and the town's role in removing it, will be attached to the official minutes.

Adjustments to the Agenda:

MANAGER'S REPORT:

(a) Council Committee Updates:

Reports were given on the Transportation Study Committee meeting on August 6 at Brunswick Junior High school and the BEDC annual meeting which was open to the public. The Old High School demolition and safety issues were also discussed.

(b) Nomination Papers available:

Fran Smith, Town clerk, spoke on this item.

PUBLIC HEARINGS:

118. The Town Council will hear public comments on Zoning Ordinance amendments relative to small scale wireless communication towers, and will take any appropriate action.

Kris Hultgren, Town Planner, spoke on this item.

Councilor Tucker, Councilor Knight, Councilor Watson, Councilor Pols, and Councilor Klatt asked questions which the Planner answered.

Councilor Favreau spoke on this item.

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

Councilor Watson moved, Councilor Favreau seconded, to adopt amendments to the Zoning Ordinance regarding small scale wireless communication towers. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

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

NEW BUSINESS:

119. The Town Council will discuss reducing the number of members to the Bicycle & Pedestrian Advisory Committee, and will take any appropriate action.

Councilor King, Chair Daughtry, Councilor Watson, and Councilor Knight spoke on this item.

Fran Smith, Town Clerk, spoke on this item.

Jeff Reynolds, Co-Chair of the committee, spoke on behalf of the committee.

Councilor King moved, Councilor Pols seconded, to amend the Bicycle & Pedestrian Advisory Committee's charge to reduce the number of members from nine to seven. The motion carried with nine (9) yeas.

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

120. The Town Council will discuss enacting an ordinance governing fowl and poultry, and will determine if any future action is necessary.

Councilor Atwood and Councilor Pols spoke on this item.

Anna Breinich spoke on behalf of the Planning Board on this item.

Councilor Knight, Councilor Pols, Councilor Klatt, Chair Daughtry, Councilor Favreau, and Councilor Watson spoke on this item.

Councilor Tucker moved, Councilor Favreau seconded, to prepare language incorporating the suggestions from the Council and bring it back at the next meeting for more discussion. The motion carried with nine (9) yeas.

121. The Town Council will discuss the Brunswick Development Corporation's Bylaws and appointment process, and will determine if any future action is necessary.

Councilor Pols, Councilor Favreau, Councilor King, Councilor Pols, Councilor Tucker, Councilor Atwood, and Councilor Klatt spoke on this item.

John Eldridge, Finance Director, commented for the staff on this item.

No action was taken at this time.

122. The Town Council will consider adopting a Resolution to fund repairs at the Growstown School, and will take any appropriate action.

Manager Brown and Craig Worth, Deputy Public Works Director, spoke on this item.

Councilor Knight, Councilor Watson, and Councilor King spoke on this item.

Councilor Watson moved, Councilor Favreau seconded, to adopt the Resolution For An Emergency Appropriation of \$15,000 From Unappropriated Available General Fund Revenues To Finance Costs Related To Repairs To Growstown School. The motion carried with nine (9) yeas.

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

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

Town Council Minutes

August 3, 2009

Page 4

The following nominations and appointments were made to Town Boards and Committees:

- James Merritt to serve on the Personnel Board as an Alternate – nine (9) yeas
- Shirley Chase to serve on the Zoning Board of Appeals as an Associate – nine (9) yeas
- Richard Lancaster Jr. to serve on the Recreation Commission for a 3 year term - nine (9) yeas
- John Horan, III to serve on the Recreation Commission for a 3 year term - nine (9) yeas
- Kristi Hatrick to serve on the Recreation Commission for the balance of a 3 year term - nine (9) yeas

CONSENT AGENDA

- (a) Approval of the Minutes of July 17, 2009
- (b) Approval of the Minutes of July 20, 2009

Councilor Watson moved, Councilor Favreau seconded, to approve the Consent Agenda with Councilor Atwood's correction to a date in the July 17th minutes. The motion carried with nine (9) yeas.

Executive Session: Economic Development Per 1 M.R.S.A. § 405(6)(C) and Labor Negotiations Per 1 M.R.S.A. § 405(6)(D)

Councilor Watson moved, Councilor Tucker seconded, to go into executive session to discuss Economic Development Per 1 M.R.S.A. §405(6)(C) and Labor Negotiations Per 1 M.R.S.A. §405(6)(D). 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 ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Frances M. Smith
Town Clerk
August 20, 2009

September 8, 2009
Date of Approval

Council Chair

CONSENT AGENDA - B BACK UP MATERIALS

Draft
**BRUNSWICK TOWN COUNCIL
SPECIAL MEETING
MINUTES
August 4, 2009
4:00 P.M.
Kanbar Hall
Bowdoin College**

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Deborah R. Atwood, and Joanne T. King

Town Staff Present: Fran Smith, Town Clerk

Chair Daughtry called the meeting to order.

Executive Session: Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of interviewing candidates for Town Manager.

Councilor Watson moved, Councilor Knight second, to go into executive session to discuss a Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of interviewing candidates for Town Manager. The motion carried with nine (9) yeas.

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

The meeting adjourned at 7:25 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THERE IS NO VIDEO RECORDING OF THE MEETING AVAILABLE.

*Frances M. Smith
Town Clerk
August 6, 2009*

September 8, 2009
Date of Approval

Council Chair

CONSENT AGENDA - C BACK UP MATERIALS

--Draft--
**BRUNSWICK TOWN COUNCIL
MINUTES
August 5, 2009
7:00 P.M.
Economic Development Office
Conference Room**

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Deborah R. Atwood, and Joanne T. King

Town Staff Present: Fran Smith, Town Clerk

Chair Daughtry called the meeting to order.

Executive Session: Personnel Matter Per 1 M.R.S.A. § 405(6)(A) for the purpose of discussing the Town Manager position

Councilor Favreau moved, Councilor Tucker seconded, to go into executive session to discuss a Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of discussing the Town Manager position. 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 at 8:10 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THERE IS NO VIDEO RECORDING OF THE MEETING AVAILABLE.

*Frances M. Smith
Town Clerk
August 6, 2009*

September 8, 2009
Date of Approval

Council Chair

CONSENT AGENDA - D BACK UP MATERIALS

**BRUNSWICK TOWN COUNCIL
SPECIAL MEETING MINUTES**

August 12, 2009

6:00 P.M.

**Old Times Record Building
6 Industry Road**

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Deborah R. Atwood, and Joanne T. King.

Councilors Absent: None.

Town Staff Present: Fran Smith, Town Clerk; John Eldridge, Finance Director; Anna Breinich, Director of Planning and Development; Richard Rizzo, Police Chief; Marc Hagan, Police Commander; Elin M. Gould, Deputy Town Clerk.

Chair Daughtry called the meeting to order and asked for roll call.

Executive Session: Consultations with Legal Counsel Per 1 M.R.S.A. § 405(6)(E) for the purpose of consultations between a body and its attorney concerning the legal rights and duties of the body.

Councilor Favreau moved, Councilor Knight seconded, to go into executive session per 1 M.R.S.A. §405(6)(E) for the purpose of consultations between a body and its attorney concerning the legal rights and duties of the body. The motion carried with nine (9) yeas.

MEETING RESUMED AT 6:48 P.M.

124. The Town Council will discuss authorizing the Council to negotiate the terms of an employment agreement with a candidate for the position of Brunswick Town Manager, subject to final approval by the Council of a negotiated agreement, and will take any appropriate action.

Chair Daughtry gave a timeline of the hiring process since the former Town Manager announced his retirement in September 2008.

Councilor Pols moved, Councilor Watson seconded, that the Council authorize the Council Chair and the Council Vice-Chair, with the assistance of the Town's consultant Municipal Resources, Inc. and the Town Attorney, to negotiate the terms of an employment agreement with Gary Brown for the position of Brunswick Town Manager, subject to final approval by the Council of a negotiated agreement.

Each Councilor went around the table and stated their candidate of choice.

Town Council Minutes

August 12, 2009

Page 2

Chair Daughtry, Councilor Tucker, Councilor Klatt, and Councilor Atwood expressed support for Laurie Smith.

Councilor Favreau, Councilor Knight, Councilor Pols, and Councilor King expressed support for Gary Brown.

Councilor Watson spoke on this item and did not announce his choice, citing the privilege of Executive Session.

Chair Daughtry opened the floor for public comment.

Town Attorney Pat Scully spoke on this item.

The following people made comments on this item:

Michelle Small, 34 Stanwood Street

Richard Fisco, 2 Lincoln Street

Tom Fusco, 66 Board Road

Marybeth Burbank, 11 Cumberland Street

Louise Rosen, 16 High Street

Scott Taylor, 11 High Street

Town Attorney Scully provided answers to the questions that had been raised by the citizens who spoke.

Councilor King, Councilor Atwood, Councilor Knight, Councilor Klatt, and Councilor Favreau again spoke on this item.

Councilor Favreau moved, Councilor King seconded, to move the question. The motion failed with four (4) yeas. Councilor Tucker, Councilor Klatt, Councilor Daughtry, Councilor Knight, and Councilor Pols were opposed.

Councilor Klatt, Councilor Pols, Councilor King, and Councilor Watson again spoke on the item.

(A letter from the search firm MRI, Inc. will be attached to the official minutes.)

Chair Daughtry and Councilor Atwood announced that they will support the motion.

Vote on the motion:

Councilor Pols moved, Councilor Watson seconded, that the Council authorize the Council Chair and the Council Vice-Chair, with the assistance of the Town's consultant Municipal Resources, Inc. and the Town Attorney, to negotiate the terms of an employment agreement with Gary Brown for the position of Brunswick Town Manager, subject to final approval by the Council of a negotiated agreement. The

Town Council Minutes

August 12, 2009

Page 3

motion carried with seven (7) yeas. Councilor Tucker and Councilor Klatt were opposed.

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

The meeting adjourned at 8:55 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Frances M. Smith

Town Clerk

August 13, 2009

September 8, 2009

Date of Approval

Council Chair

CONSENT AGENDA - E BACK UP MATERIALS

--DRAFT--
**BRUNSWICK TOWN COUNCIL
SPECIAL MEETING
MINUTES
August 26, 2009
5:00 P.M.
Hawthorne School Conference Room
46 Federal Street**

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Deborah R. Atwood, and Joanne T. King

Town Staff Present: Fran Smith, Town Clerk

Chair Daughtry called the meeting to order.

Executive Session: Personnel Matter Per 1 M.R.S.A. §405(6)(A) to discuss the status of the negotiations for the Town Manager's position.

Councilor Pols moved, Councilor King seconded, to go into executive session to discuss a Personnel Matter Per 1 M.R.S.A. §405(6)(A) for the purpose of discussing the status of the negotiations for the Town Manager's position. 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 at 6:20 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THERE IS NO VIDEO RECORDING OF THE MEETING AVAILABLE.

*Frances M. Smith
Town Clerk
August 27, 2009*

September 8, 2009
Date of Approval

Council Chair

CONSENT AGENDA - F BACK UP MATERIALS

-- Draft --
**BRUNSWICK TOWN COUNCIL
SPECIAL MEETING
MINUTES
August 31, 2009
7:00 P.M.
Economic Development Office Conference Room
28 Federal Street**

Executive Session: Personnel Matter Per 1 M.R.S.A. §405(6)(A) to discuss the Town Manager's position.

Councilor Tucker moved, Councilor Watson seconded, to go into executive session for Personnel Matter Per 1 M.R.S.A. §405(6)(A) to discuss the Town Manager's position. The motion carried with nine (9) yeas.

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

The meeting adjourned at 7:50 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THERE IS NO VIDEO RECORDING OF THE MEETING AVAILABLE.

*Frances M. Smith
Town Clerk
August 31, 2009*

September 8, 2009
Date of Approval

Council Chair