

BRUNSWICK TOWN COUNCIL

MINUTES

April 5, 1999

MUNICIPAL MEETING FACILITY

7:30 p.m.

Chair McCausland called the meeting to order and asked for the pledge to the flag.

Councilors Present: Chair Stephen McCausland, Michael Feldman, Eleanor Swanson, Timothy Dotts, Robert Galloupe, Clement Wilson, Vice-Chair Faith Moll, Forrest Lowe and David Gleason.

Councilors Absent: None

Others Present: Donald Gerrish, Town Manager; Melissa Smith, Deputy Town Clerk; Geoffrey Hole, Town Attorney; Theo Holtwijk, Director of Planning and Development; Commander Robert Annese, Police Department; William Collins, Marine Warden; citizens, members of the press and TV Video Crew.

Correspondence:

A letter of resignation from Susan Weddle, Brunswick Community Representative to the Restoration Advisory Board for the Brunswick Naval Air Station Hazardous Waste Assessment, was received. A letter of appreciation will be sent for her eleven years of service.

Minutes of Meetings:

Councilor Lowe moved, Councilor Dotts seconded, to approve the minutes of March 16, 1999 as distributed. The motion carried with nine yeas.

Manager's Report:

1. Budget Update.

Manager Gerrish gave an update on the budget. Through 75% of the fiscal year, the expenditure side shows that all departments are maintaining their budgets. The winter budget looked to be on target. The revenue side has continued to be in very good shape. Excise tax and State Revenue Sharing continues to be above expectations.

2. Child Identification Program for Brunswick.

Commander Robert Annese gave an update on the Crime Prevention Grant. The Brunswick Police Department purchased 600 Child Identification Packets. These packets are very comprehensive and include sections for DNA samples, fingerprints, photographs, personal and medical information, and dental records. This valuable packet will be given to the parents to keep for their records. The Brunswick Police Department will not have copies. These Child Identification Packets would be used in conjunction with the Stranger Danger Project, which also includes educational coloring books for elementary school children.

On May 22, at the Kiwanis Family Safety Day, there will be child safety seat checks by the Department's Child Safety Seat Technicians and fingerprinting for the Child Identification Packets.

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3. Introduction of new Police Officer.

Commander Robert Annese introduced the Town's newest Patrol Officer, Robert Lane. Officer Lane served on the Baileyville Police Department for three and a half years. He is a Criminal Justice Academy Graduate, Certified Firearms Instructor and a Certified Ammunition Instructor. Officer Lane and his wife are searching for housing in Brunswick.

4. Brunswick Housing Authority will report on a joint project with the Tedford Shelter.

John Hodge, Director of the Brunswick Housing Authority, stated that last summer the Housing Authority formed a non-profit corporation called The Greater Brunswick Housing Corporation. The working capital would be used to address housing needs because of an increase in homeless families in the area. The Housing Authority decided to purchase a piece of property to establish a family shelter with the Tedford House. The two groups had discussions on different issues and locations. The Corporation would purchase the property and retain it as an asset. The property would be well maintained by the Corporation and leased to the Tedford Shelter. It was determined a management plan would be in place to deal with maintenance of the property and with problems that may occur. The Housing Authority was trying to identify a site with 6 units that would be in their budget. The broker was looking in the Brunswick/Topsham area and has identified one location in downtown Brunswick having 6 units and one location out of town which is land only. Building would be more expensive than buying and renovating; therefore, they are looking for grant money for renovations that would be needed if they purchase a pre-existing building. The Housing Authority property would be inspected regularly and well maintained. They also believe in paying their fair share so they will be paying taxes even though they are a non-profit organization.

Mathew Eddy addressed the Council. Mr. Eddy is a former Brunswick Planner, a McKeen Street resident, Research and Planning Manager of the Maine State Housing Authority, a volunteer and President of the Tedford Shelter. He explained how the Tedford Shelter decided to become partners with the Brunswick Housing Authority to obtain a family shelter. He distributed a handout to the Council. (Attachment to permanent minutes) Mr. Eddy explained that the Tedford Shelter would provide a service and that the Housing Authority would be the property managers. The Tedford Shelter was very excited about this joint project.

Mr. Eddy continued that the Tedford Shelter is a non-profit corporation that receives mostly private donations, and State and Federal money. It also receives donations from United Way. They have a professional staff including: Helen Heminger, Executive Director; a singles case manager; family case manager; house manager; volunteer coordinator; and shelter attendants. In 1989, the Tedford Shelter decided it was necessary to separate families from individuals, because of the differing services and needs for homeless families. They began by renting an apartment downtown. The demand for family units increased, and they rented two more apartments and two other units for a total of five, which happened most recently in August of 1998. They entered into an agreement with the Housing Authority to find a six unit family shelter.

Mr. Eddy stressed that this was a homeless family operation. The Shelter now provides services for five homeless families in the downtown area and would like to try to centralize their costs by finding a piece of property to consolidate their services in one area. The Tedford Shelter is still working with the Housing Authority to develop a management plan. Mr. Eddy went over the rules that were currently in effect for the family housing units. (see attachment) He also stated that the Tedford Shelter takes pride in the condition of its property and pride in its staff. The Shelter is willing to work constructively with the neighborhood. The Board is committed to being a good neighborhood partner.

Mr. Hodge stated his corporation would like to achieve revitalization of neighborhoods. The Corporation would not be an absentee landlord, because it believes that neighborhoods will improve if ownership of buildings is promoted.

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Councilor Moll thanked Mr. Hodge and Mr. Eddy for addressing the Council. Councilor Moll had prepared an informational packet to meet the requests from the numerous citizens in her district and particularly, the spokesman of a newly formed neighborhood group. (Attachment to permanent minutes) This was prompted by two things; working with the neighbors and their concerns, and then finding a group that had done something very positive by forming a neighborhood group.

George Glover, spokesman for the neighborhood group and resident of 19 High Street, stated that this was a very complex neighborhood. This group represents residents in the Mill Street, Pleasant Street, and Maine Street area. The shelter issue was the catalyst for the forming of the Northwest Brunswick Neighborhood Association. The Association heard that #1 High Street was a possibility for another shelter. Mr. Glover stated the downtown area was saturated with social service facilities and a transient population. This is causing a serious effect on the old neighborhood. The neighborhood is losing its stability. Long term residents are trying to hang on to their homesteads. The Association as a group will be trying to address the problems. Everyday problems include public drunkenness, constant shouting of obscenities, known drug dealing, rubbish, speeding and tire screeching, urination on private property, and vandalism, all of which cause loss of property value. They believe one of the culprits to be absentee landlords, who let their properties deteriorate. The Association wants to work with the Town to begin a dialogue so that they do not live in fear that their values will go down in their neighborhood. They would like to have input if and when a new social service facility will be located in their neighborhood.

Mr. Glover quoted from the Comprehensive Plan, "If one word could be used to characterize the Town of Brunswick from the end of the 18th century on, it might be liveability." The neighborhood wants to keep their liveability. Mr. Glover also quoted the phrases "...preserve and protect the quality of housing that Brunswick enjoys, ...housing consists of many different neighborhoods each with its own character and special feature." In their opinion the neighborhoods are not being protected. The area the Association covers consists of 82 subsidized units and 41 structures. The Association would like to ask for an opening dialogue before another shelter opens in this area, or ask the Town to consider a review process for public service facilities. The Neighborhood Association would also like to have the Town's facilities assistance .

Manager Gerrish stated the administration would make a priority with all involved to deal with the issues from all three groups to work together and come up with a plan. Mr. Gerrish pledged that the Town would put this meeting together to start this process as soon as possible.

Chair McCausland noted that these issues were very real and efforts were great for residents and neighbors to talk with each other. The Police, Planning Department, Town, Housing Authority, and Tedford Shelter have all heard the comments. It was known that there were problems that needed to be addressed. Neighbors were looking out for each other. This was a very useful discussion that could help make the neighborhoods strong.

Adjustments to the Agenda: None

Chair McCausland introduced State Senator Philip Harriman. Senator Harriman expressed his appreciation to Councilor Swanson and Councilor Galloupe who had joined him at the Marine Resources Committee last week. Alan Houston, Natural Resources Planner, and his colleagues had helped draft new legislation, which will alleviate the problems with aquaculture leases. This new legislation should benefit all communities along the coast.

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52. The Town Council will hear public comments on the following request for Victualer's License for:

Fat Boyz Classid BBQ
d/b/a J & G Classic BBQ
125 Bath Road

John K. Gerken

The public hearing opened at 8:44 p.m. The public hearing closed at 8:44 p.m.

Councilor Wilson moved, Councilor Moll seconded, to approve the Victualer's License for Fat Boyz Classic BBQ, based on final inspection. The motion carried with nine yeas.

53. The Town Council will consider a Proclamation to proclaim the week of April 11-17, 1999, as "National Public Safety Telecommunicators Week" in the Town of Brunswick in honor and recognition of our 9-1-1 telecommunicators.

Manager Gerrish read the proclamation. (Attachment to permanent minutes)

Councilor Feldman moved, Councilor Dotts seconded, to proclaim April 11-17, 1999 as "National Public Safety Telecommunicators Week" in the Town of Brunswick. The motion carried with nine yeas.

54. The Town Council will consider amending the winter shellfish closure, with two exceptions (Longreach and Upper New Meadows) on a regular and emergency basis.

Jack Lemont, Chairman of Marine Resources Committee, stated that part of the licensing procedure requires that the Marine Resources Committee limit the number of days of harvesting. This year there was a 60 - 70 day closure. The Committee closed everything in Brunswick but one area. This area was found to be over harvested. The Committee now requests that the over harvested area be closed and open Longreach (Robbie's Cove) and Upper New Meadows. Therefore, the rest of the town will be closed except for Longreach and Upper New Meadows. May 1st, Skofield's and Harpswell's Cove will be closed for 60 days and this opened area in Longreach will close for 30 days. (Attachment to permanent minutes)

Councilor Wilson moved, Councilor Gleason seconded, to amend the winter shellfish closure with two exceptions: Upper New Meadows and Longreach, on a regular and emergency basis. The motion carried with nine yeas.

55. The Town Council will consider setting a public hearing for April 20, 1999 for five shellfish closures for: New Meadows River, Harpswell Cove, Bunganuc Creek, Paul's Marina, and Upper Middle Bay Cove.

Jack Lemont, Chairman of Marine Resources Committee, explained these are State Closed Areas. If the Town of Brunswick would like to keep the fines collected by Bill Collins, Marine Warden, these areas must be also be closed by the Town and included in the ordinance.

Councilor Lowe moved, Councilor Feldman seconded, to schedule a public hearing for April 20, 1999 to enact five shellfish closures for: New Meadows River, Harpswell Cove, Bunganuc Creek, Paul's Marina, and Upper Middle Bay Cove. The motion carried with nine yeas.

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- 56. The Town Council will consider authorizing the Town Manager to execute a deed to David and Cynthia Premo, and to accept a deed from David and Cynthia Premo, clarifying the line between the Premo property and the Town property on Hambleton Avenue.**

Manager Gerrish stated a survey had been done for a new recreational playground on Hambleton Avenue. The survey brought questions and concerns about the property lines between the two properties. Town Attorney Geoffrey Hole has worked with the Premos to clarify the property line. This deed would allow the Town to give the Premos a small piece of land and for them to give the Town another piece of land. No money would be involved, it would be just a swapping of deeds to clarify the property line. (Attachment to permanent minutes)

Councilor Galloupe moved, Councilor Wilson seconded, to authorize the Town Manager to execute a deed to David and Cynthia Premo and to accept a deed from David and Cynthia Premo, clarifying the line between the Premo property and the Town property on Hambleton Avenue. The motion carried with nine yeas.

- 57. The Town Council will consider adopting a Resolution concerning banking services.**

Manager Gerrish stated that the Town of Brunswick uses Fleet Bank for their banking services. The Town would like to open additional accounts and to do this the Maine State Statutes requires authorization from the council. (Attachment to permanent minutes)

Councilor Feldman moved, Councilor Dotts seconded, to adopt the Resolution as written. The motion carried with nine yeas.

- 58. The Town Council will receive a report concerning the town's participation in the Portland, Bangor, Wells waste oil site settlement, and take any appropriate action.**

Manager Gerrish explained that in the 1970's and early 1980's the Town of Brunswick's waste oil from Public Works was disposed of by a Company called Portland Bangor Waste Oil. The Company used a site in Wells to dispose of the oil. This site is now contaminated and needs to be cleaned up. Under State Law, the Town is liable for its share of the costs for clean up. The Town sent 2,266 gallons to the site.

The total cost for the cleanup is in the \$15 to \$16 million dollar range. Under a settlement proposed, the Town can settle its liability with a payment of \$13,074.82

Town Attorney Geoffrey Hole, Finance Director John Eldridge, and Town Manager Gerrish have been involved in the process and recommended the Town agree to the settlement and pay the sum of \$13,074.82. It is recommend the funds come from Unappropriated Fund Balance. (Attachment to permanent minutes)

Geoffrey Hole, Town Attorney, stated that the Town's contribution was .06% to this particular site. This transaction would be transferring our responsibility to another entity. This would not be a fail safe procedure but it is the only option available to the Town.

Councilor Wilson asked if the Town could be tagged again to clean up this same area and if others do not pay their share what would happen.

Attorney Hole responded that the documents state if \$14 million dollars was not reached by the participants, then the company would decide whether to continue or not. Presuming the 14 million was reached, the company would proceed and the Town would be protected.

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Manager Gerrish stated he had a list of participants. He also recommended that the Council authorize the Resolution and appropriate the money needed.

Councilor Feldman moved, Councilor Swanson seconded, to recommend the Town pay \$13,074.82 from the Unappropriated Fund Balance. The motion carried with nine yeas.

59. The Town Council will consider appointment of an Open Space Task Force, and take any appropriate action.

Manager Gerrish noted that one of the goals for 1999 was to establish a fund for acquisition of recreation and environmentally significant property and develop an open space ordinance including water access. Before the Council had set this as a goal, a joint effort had taken place among the Planning Board, Conservation Commission, and the Parks and Recreation Commission to look at the needs of the Town for Open Space.

Theo Holtwijk, Director of Planning and Development, had provided written material explaining the recent history for Open Space planning. (Attachment to permanent minutes)

The Planning Board, Conservation Commission and the Parks and Recreation Commission recommended to the Council to appoint a nine member Task Force with a \$25,000 budget. They believe this to be a two year plan which needs the Council's endorsement. It was understood that funding will not be available until the Town budget is passed.

Councilor Wilson moved, Councilor Dotts seconded, to accept the Open Space Task Force Committee Charge and make-up of the committee. The motion carried with nine yeas.

Manager Gerrish stated that representatives from the appropriate committees would be brought to the Council for appointment and that the three representatives from the general public will be advertised.

60. The Town Council will consider the request of the Maine State Music Theater to hang a banner over Maine Street from June 7-21, 1999 to announce this year's location of the summer productions to be at the new Brunswick High School.

Councilor Dotts moved, Councilor Lowe seconded, to approve the request of the Maine State Music Theater to hang a banner over Maine Street from June 7-21, 1999. The motion carried with nine yeas.

Chair McCausland toured the gutted Pickard Theatre at Bowdoin College. It is a huge open building which they are rebuilding from the inside, with bathroom facilities, handicapped accessibility, new seats and a new balcony. This will be a tremendous asset to the community. This is the second time that Pickard Theatre was gutted. The first time was in 1956.

Councilor Feldman toured the construction of the Curtis Memorial Library. He thought that it was going to be an unbelievable structure for the Town of Brunswick.

61. The Town Council will consider making appointments to the following boards and committees:

Brunswick Housing Authority

1 Resident Member, balance of a five year term to expire 06/03/01

Councilor Moll nominated A. Patricia King.

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Councilor Moll moved, Councilor Dotts seconded, nominations cease and that the Chair cast a single ballot for A. Patricia King. The motion carried with nine yeas.

A. Patricia King was appointed as a Brunswick Housing Authority (resident member) for the balance of a five year term to expire 06/03/01 .

Planning Board
2 Associate Members, balance of three year terms to expire 02/23/01

Councilor Feldman nominated William Smith.

Councilor Feldman moved nominations cease and that the Chair cast a single ballot for William Smith. Councilor Galloupe seconded the motion. The motion carried with nine yeas.

William Smith was appointed to the Planning Board as an Associate Member for the balance of a three year term to expire 02/23/01.

Manager Gerrish noted that Mr. Smith would resign from the Conservation Commission because of the conflict of interest with the Planning Board. He also thanked Mr. Smith for his three years of service to the Conservation Commission.

The meeting adjourned at 9:17 p.m.

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A TAPE RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Melissa L. Smith
Deputy Town Clerk
04/13/99

Date of Approval

Council Chair