

-- APPROVED --
BRUNSWICK TOWN COUNCIL MINUTES
January 13, 2003
Municipal Meeting Facility

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

Councilors Present: Chair Charles R. Priest, W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Nancy E. Randolph, Forrest Lowe, Thomas E. Crimmins and Stephen H. McCausland.

Councilors Absent: None.

Others Present: Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Patricia Harrington, Assistant Town Manager; Theo Holtwijk, Director of Planning and Development; Timothy Young, Police Commander; Geoffrey Hole, Town Attorney; Frank McVey, General Manager of Brunswick Sewer District; Stanley Gerzofsky, State Representative (District 50); several citizens, members of the press, and TV video crew.

Minutes of Previous Meetings: **December 16, 2002**
 January 6, 2003

Hearing no objection from the Council, Chair Priest declared the minutes of December 16, 2002, accepted as written.

Hearing no objection from the Council, Chair Priest declared the minutes of January 6, 2003, accepted as written.

Correspondence:

Manager Gerrish said he received a letter from Attorney Jim Day on behalf of Melville Robbins regarding issues with his property on the Harding Road. This will be discussed further at the next Council meeting.

Chair Priest noted the passing of John Cole. He was a long time resident and publisher of the Maine Times. He also worked for the Times Record. Chair Priest, on behalf of the Council, gave his condolences to Mr. Cole's family.

Manager's Report:

1) Financial Update

Manager Gerrish provided a financial update. The expenditures are in good shape. With the recent winter storms, the winter budget is a little higher than last year at this time. Under revenues, December's collected excise taxes were less than last year for the same

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month, but overall they are above the projection for the first six (6) months. State revenues were less in December, but on line for the projection for the first six (6) months.

2) Council Goals 2003

Manager Gerrish asked that each Councilor provide up to ten (10) goals and to get them back to him by the next Council meeting so they can be compiled for ranking by the Councilors.

3) ReBound Grant for Police Department

Commander Young, Police Department, discussed the ReBound program and this grant for five thousand dollars (\$5,000) from the Simmons Foundation. There will be no cost to the town.

Councilor Galloupe moved, Councilor Watson seconded to accept and to allow expenditure of the ReBound Grant from the Simmons Foundation for an amount of five thousand dollars (\$5,000). The motion carried with nine (9) yeas.

4) Letter of Support for MCBDP: EDD Application

Manager Gerrish explained this item. The MidCoast Council for Business Development and Planning (MCBDP), along with Lincoln County, is making an application to the Economic Development Administration to be designated as an Economic Development District. This designation will allow the area to be eligible for EDA Bonus Funds for economic development in the area. He would recommend Council support of the application.

Councilor Randolph moved, Councilor Watson seconded, to provide a letter of support for the MCBDP application for an Economic Development Administration grant. The motion carried with nine (9) yeas.

5) (ADDED) Letter of Support for Independence Association – Transportation Feasibility Study Grant.

Theo Holtwijk, Director of Planning and Development, explained the Transportation Feasibility Study grant application that the Independence Association is applying for. They are requesting a letter of support from the town and the grant will not require any town funds – just some Planning staff time.

(A copy of Mr. Holtwijk's memo outlining the request from the Independence Association will be attached to the official minutes.)

Jim Pierce, Independence Association, discussed their transportation needs and budget. This grant will allow them to work with other organizations, such as Bowdoin, the Tedford Shelter, and Sweetser, to work on transportation needs. Responding to

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Councilor Randolph's request for them to work with Topsham, Mr. Pierce said he is not opposed to that but not sure if there would be enough time (the grant needed to be in by January 24). He added Brunswick was the logical place since the group's people tend to migrate to urban centers as they get their services there.

Councilor Lowe moved, Councilor Sartoris seconded, to provide a letter of support to the Independence Association for the Transportation Feasibility Study Grant application. The motion carried with nine (9) yeas.

Adjustments to Agenda: None

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

Full-Time Malt, Spirituous and Vinous (New):

**The President and Trustees of Bowdoin College, d/b/a
Bowdoin College – Moulton Union
College Street**

S. Catherine Longley

Full-Time Malt, Spirituous and Vinous (Renewal):

**The President and Trustees of Bowdoin College, d/b/a
Bowdoin College – Thorne Hall
College Street**

S. Catherine Longley

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

Councilor Lowe moved, Councilor Sartoris seconded, to approve requests for alcoholic beverage licenses for Bowdoin College at Moulton Union and Thorne Hall. The motion carried with nine (9) yeas.

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

- 6. The Town Council will hear public comments on the following requests for Special Amusement Licenses and will take any appropriate action.**

**The President and Trustees of Bowdoin College, d/b/a
Bowdoin College – Moulton Union
College Street**

Lisa Fox

**The President and Trustees of Bowdoin College, d/b/a
Bowdoin College – Thorne Hall
College Street**

Lisa Fox

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

Councilor Sartoris moved, Councilor Galloupe seconded, to approve the requests for Special Amusement Licenses for Bowdoin College at Moulton Union and Thorne Hall. The motion carried with nine (9) yeas.

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

7. **The Town Council will hear public comments on the following requests for Junkyard and Automobile Recycling Permits and will take any appropriate action.**

Renewals for Junkyard:

**Robert P. Moody d/b/a Moody's Auto Parts
117 Bath Road**

Robert P. Moody

**Patrick Pelkey d/b/a Pelkey Motors
175 Rear Bath Road**

Patrick Pelkey

Renewal for Automobile Recycling:

**Robert P. Moody d/b/a Moody's Auto Parts
117 Bath Road**

Robert P. Moody

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

Councilor Sartoris moved, Councilor Watson seconded, to approve requests for Junkyard Permits for Moody's Auto Parts and Pelkey Motors, and a request for an Automobile Recycling Permit for Moody's Auto Parts. The motion carried with nine (9) yeas.

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

8. **The Town Council will discuss proposals to extend the Brunswick Sewer District Boundaries, which will be forwarded to the Legislature, and will take any appropriate action.**

Manager Gerrish explained the two (2) original proposals for the Sewer District boundary changes. The Sewer District Trustees are proposing to extend the District Line to coincide with the town's boundaries. The second proposal would extend the Sewer District Line to coincide with the town's Growth Line, with the option to extend the sewer past the Growth Line in case of an environmental necessity.

Chair Priest said there has been additional discussion between the Council and the Sewer District Trustees. The Trustees have agreed to a compromise, which included four points that will be included in the proposed bill language:

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1. Designates the District as the sole entity responsible for public wastewater facilities in the entire town;
2. Describes the District boundaries as the area specified in the Comprehensive Plan as appropriate for growth and sewers;
3. Allows the town to elect changes in the District's territory by making changes in the Comprehensive Plan's growth area;
4. Offers improvements in how future boundary changes are to be accomplished.

Chair Priest suggested that the legislative language be drafted for the next Council meeting and that copies be available to the public so they can comment at that time.

Councilor Galloupe said he still has concerns with wording under proposed "An Act to Revise the Charter of the Brunswick Sewer District". It states that the Sewer District will "consult" with the town before they do any extensions. He would like to change it to require town "approval", even though it is addressed in state law. The other concern is on page 2 of the proposal (stating "the territory of the district may be expanded to include areas of existing development experiencing a significant number of subsurface septic system failures. For the purposes of this paragraph 'significant' means that a __ percent of the subsurface septic system have failed or that __ percent of the subsurface septic systems are within __ years of their useful life. The territory may be expanded by the trustees if... the trustees find that a significant number of subsurface septic system failures have occurred and vote to extend the sewer system into that area.")). A percentage of a mobile home park could mean a number of homes; whereas, if it was in another area with not that many homes, the percentage would mean a few homes. Should there be some other language instead such as "contaminating water ways"? Percentage could be a good thing or a bad thing.

Councilor Sartoris said she shared Councilor Galloupe's concern on the percentage issue. She feels there could be some other terms like "established or substantiated evidence of environmental degradation" and in the process it would still have to come back to the Council to be approved.

Frank McVey, General Manager of the Sewer District, responding to Councilor Lowe's question on a timeframe for the proposal, said he and the town attorney would work to have the language prepared by Friday.

Representative Gerzofsky said since the title of the bill is already in, the Council would have some time to have the prepared language, but they will need to have accurate wording.

Councilor Randolph suggested waiting to make the final decision on the wording at the February 3 meeting to allow for time to get the language right. In addition, she requested that the proposed language would be available at the library, town hall and other appropriate locations since there is such short notice for public comment.

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Councilor Galloupe, Councilor Lowe and Councilor Rice wanted to receive public comment and finalize the wording at the January 21, 2003.

Chair Priest stated there will be public comment at the next Council meeting on January 21.

9. The Town Council will discuss expanding the membership of the Comprehensive Plan Review Committee and will take any appropriate action.

Councilor Sartoris is recommending expanding the make-up of the Comprehensive Plan Review Committee by adding a representative from Bowdoin College and one (1) additional citizen member. The committee that was originally approved to consist of the nine (9) members, with the proposed additions bringing the number to eleven (11). She received a request from Bowdoin College through the Planning Department to have a member from the college added to the committee.

Councilor Sartoris moved, Councilor Lowe seconded, to expand the membership of the Comprehensive Plan Review Committee to include one representative from Bowdoin College and one additional citizen representative.

Councilor Randolph favored keeping it as is, but if a Bowdoin representative is added, there should be a Navy Base representative as well.

Councilors Crimmins and Watson both felt if a Bowdoin College representative was added, there should be a Navy Base representative added also since it is an important and vital part of the community – just as Bowdoin is.

Councilor Sartoris said she had thought about a Base representative, but felt the base is not proposing to purchase more property (like Bowdoin is) and changing its current uses.

Councilor McCausland said Councilor Randolph, Councilor Sartoris and he met several times to discuss the make-up of the committee. At that time they agreed on the outlined membership to keep the committee manageable. The first time he heard of the proposed additions was when he received his agenda. He supported keeping the committee at nine (9).

Councilor Lowe agreed with Councilor Sartoris. He does not favor the Navy Base representative since they can do what ever they want in Brunswick, which is not true of the other groups represented on the committee.

Councilor Rice agreed with Councilor Lowe that the Navy Base has limited involvement with the town on its projects; whereas, Bowdoin is involved and should be included.

Councilor Galloupe said he felt Bowdoin should be involved in “Task 3” (of the Proposal to Provide Planning Assistance to the Town of Brunswick to Review the Current

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Comprehensive Plan) when the committee is conducting a systematic evaluation of the current plan and seeks input from various groups. They should not be included on the steering committee.

Chair Priest said Bowdoin is planning on expanding and this will effect neighborhoods and the town. The town has not had input into Bowdoin's long term planning. Therefore, if the town gives them input in the Comprehensive Plan, maybe they will give the town some input into their plans. The addition to the committee will give the town and Bowdoin a process for talking.

Councilor Randolph and Councilor McCausland both said that the proposal did allow for input from Bowdoin later in the process under Task 3.

Councilor Sartoris said originally, Bowdoin College had not come up in the discussion of the committee's make-up. If there were a major business which planned a major expansion which would effect the town, they would have been included in the business section of the committee. Task 3 is not a collaborative process so Bowdoin should be included earlier.

Councilor Lowe said that he is a resident adjacent to Bowdoin and there have been cases of expansion which were not well known by the town and were not supported by the neighborhood. There was a great deal of energy spent addressing the issues that arose. They might have been able to mitigate the problems if there was a greater dialog upfront. He supported adding the Bowdoin representative since it gives a clear recognition that they are a "player".

Councilor Crimmins said the Navy Base should be included for the same reasons that Councilor Lowe laid out as reasons Bowdoin should be included.

Councilor Sartoris moved, Councilor Lowe seconded, to expand the membership of the Comprehensive Plan Review Committee to include one representative from Bowdoin College and one additional citizen representative. The motion failed with four (4) yeas and five (5) nays. Opposed were Councilors Watson, Galloupe, Randolph, Crimmins and McCausland.

10. The Town Council will consider an abatement of personal property tax on equipment that was incorrectly assessed for 2000 and 2001.

Manager Gerrish said the Assessor has indicated that Mr. Ronald Weed was incorrectly assessed for personal property equipment that he did not own for the 2000 and 2001 tax years. She is requesting the Town Council grant abatements for those years.

(A copy of the memo from Cathleen Donovan, the assessor, regarding personal property tax will be attached to the official minutes.)

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Councilor Randolph moved, Councilor Watson seconded, to approve an abatement of personal property tax on equipment that was incorrectly assessed in the years 2000 and 2001. The motion carried with nine (9) yeas.

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

The meeting adjourned at 8:47 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.

*Frances M. Smith
Town Clerk
January 15, 2003*

January 21, 2003

Date of Approval

Charles R. Priest

Council Chair