

**- APPROVED -**  
**TOWN COUNCIL MINUTES**  
**July 15, 2002**  
**7:30 P.M.**  
**MUNICIPAL MEETING FACILITY**

**7:00 P.M. EXECUTIVE SESSION: ACQUISITION OF PROPERTY**

**Councilor Crimmins moved, Councilor Randolph seconded, to enter into Executive Session to discuss property acquisition. The motion carried with seven (7) yeas. Councilor McCausland arrived after the vote.**

**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, Thomas E. Crimmins, and Stephen H. McCausland.

**Councilors Absent:** Councilor Forrest Lowe.

**Others Present:** Donald H. Gerrish, Town Manager, Fran Smith, Town Clerk; John Foster, Public Works Director; Gary Howard, Fire Chief; Clark Labbe, Deputy Fire Chief; Jerry Hinton, Police Chief; Brant Miller, Facilities Manager; several citizens, members of the press and TV video crew.

**Minutes of Previous Meetings: June 27, 2002, and July 1, 2002.**

Hearing no objection from the Council, Chair Priest declared the minutes of June 27, 2002, accepted as written.

Hearing no objection from the Council, Chair Priest declared the minutes of July 1, 2002, accepted as written.

**Correspondence:**

Chair Priest noted the passing of Garland Davis and discussed his many contributions to the town. He extended the Council's condolences to the family.

Chair Priest said the Chair of the Sewer District is willing to give tours of their facility to interested Councilors.

**Manager's Report:**

**1) Update from Fire Station Committee**

**Harold Emerson**, Chair of Fire Station Committee, gave the Council this update. He discussed the Committee's charge and introduced its members. He said that Mitchell-Ross Associates was selected from the four architect firms interviewed. The Committee

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will begin initial inspection and evaluation of the existing station and possible sites. They will be holding a public hearing tomorrow night (July 16, 2002).

**Dennis Ross**, Mitchell-Ross Associates, made a presentation on what his firm, which specializes in public safety facilities, will do for the Committee. He will be working on a program which includes meeting with fire station personnel to gather information so he can create a projected budget. It could be completed by late August or early September. He discussed how the current site and future sites will be evaluated. This process includes grading such things as road frontage, site size, accessibility, utilities, surrounding land, acquisition cost, ability to build, demolish, and hazardous waste.

Mr. Ross, responding to Councilor Galloupe's question, said the community's growth is taken into account when determining at what point there needs to be smaller substations. He said it is hard to anticipate growth from more than ten (10) to fifteen (15) years.

Mr. Ross, responding to Councilor Sartoris' questions, said that since they are not doing response time mapping, they are relying on the Chief, Deputy Chiefs, and the ISO rating to determine how close they are to needing a substation.

Manager Gerrish, responding to Councilor McCausland's question, said there is not enough time to put a question on this November's ballot.

**2) Report from Superintendent of Schools on 2002/03 Budget Adjustments.**

Since the Superintendent of Schools was unable to attend, this item was not discussed.

**Adjustments to the Agenda:**

Item 137 was withdrawn.

**132. The Town Council will hear public comments on an application for Alcoholic Beverage Licenses as follows and will take any appropriate action.**

**Full-time Malt, Spirituous and Vinous:**

**Applebee's Northeast, d/b/a Gourmet Systems of Maine, Inc. d/b/a  
Applebee's Neighborhood Bar and Grill  
11 Gurnet Road**

*Robert T. Steinkamp*

**Bo-Ed, Inc./Café Silvestre/Sagtuck, Inc. d/b/a Atrium Travellodge/Café  
Silvestre/Winner's Sports Grill  
21 Gurnet Road**

*Robert Rosenthal  
Alonzo Ruiz  
GarySagris*

**Bowl New England, d/b/a Yankee Lanes  
276 Bath Road**

*J. Richard Corley*

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**Full-time Malt and Vinous:**

**President & Trustees of Bowdoin College d/b/a Magee's Pub and Grill**  
3725 College Station *Mary M. Kennedy*

**Full-time Malt:**

**Columbus Bowl, Inc. d/b/a Bowling Bowl**  
7 Dunlap Street *Ronald Fluet*

**License for Incorporated Civil Organization:**

**Maine Arts, Inc. d/b/a The Maine Festival**  
Thomas Point Beach *Michael Miclon*  
August 2, 3 and 4, 2002

Chair Priest opened the public hearing.

**Alonzo Ruiz**, owner of Café Silvestre, briefly discussed his new Mexican Restaurant.

Chair Priest closed the public hearing.

**Councilor Sartoris moved, Councilor Watson seconded, to approve the following applications for Alcoholic Beverage Licenses: Applebee's Neighborhood Bar and Grill, Atrium Travellodge/Café Silvestre/Winner's Sports Grill, Yankee Lanes, Magee's Pub and Grill (Bowdoin College), Bowling Bowl, and The Maine Festival. The motion carried with eight (8) yeas.**

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

**133. The Town Council will hear public comments on applications for Victualer's Licenses as follows, and will take any appropriate action.**

**Café Silvestre**  
21 Gurnet Road *Alonzo F. Ruiz*

**Wrappers**  
Brunswick Mall *Kenneth and Ann Hough*

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

**Councilor Randolph moved, Councilor Sartoris seconded, to approve applications for Victualer's Licenses for Café Silvestre and Wrappers. The motion carried with eight (8) yeas.**

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

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**134. The Town Council will receive a report from MDOT concerning proposed improvements to the railroad crossings at Maine Street and Park Row and will take any appropriate action.**

**Margaret Duval**, Maine Department of Transportation, discussed the proposed upgrade to the railroad crossings at Maine Street and Park Row. The projected cost is five hundred thousand dollars (\$500,000), but there are no town funds required. The construction will begin in either September or October; if not, next spring.

**Paul Pottle**, MDOT, responding to Councilor Sartoris' question, said this improvement is tied to potential future rail traffic to Rockland. They hope that Amtrak will come to Brunswick, but there is no timeframe for this. If it comes here, additional upgrades to the line will need to be done.

**135. The Town Council will hear a presentation from representatives of the Brunswick-Topsham Water District concerning the proposed rate increase and will take any appropriate action.**

**Norm Cyr**, General Superintendent of the Brunswick/Topsham Water District, discussed the proposed rate increases. There has not been an increase since 1987. Since then, there have been over thirteen and one half (13.5) miles of new water line added and an increase of service lines from five thousand two hundred eleven (5,211) to over six thousand two hundred (6,200). Some other reasons for the increase include:

- More fire hydrants
- Increase in debt services on an improvement bond
- Increase in staff and other operating costs

They hired a consultant to review their financial situation and the consultant recommended the thirty four percent (34%) increase. The percent increase will vary for different customer groups. The biggest impact on the town is in the area of fire protection, with a fee increase of over eighty thousand dollars (\$80,000) for hydrants. This reflects an overall increase of thirty four percent (34%), but the cost per hydrant increase is sixteen percent (16%).

The process for the increase is as follows:

- The District will be holding a public hearing on Thursday, July 18, 2002, at 7:00 o'clock at the Curtis Memorial Library.
- There will be a ten (10) day waiting period after it, allowing time for petitions.
- On the 29<sup>th</sup> there will be a second filing with the Public Utility Commission.
- After thirty days, if not enough petition signatures are provided, the increase will go into effect.
- The increase will be effective September 1, but not fully seen in bills until December. (If the customer is billed in either October or November, they will see a partial increase.)

*(A copy of the letter mailed to customers discussing the increase and a packet of information provided to the Council will be attached to the official minutes.)*

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**Mr. Cyr**, responding to Councilor McCausland's question why the town pays for hydrants that are used for emergencies only, said the charges are based on the additional capacities the lines must have to meet the demand of this service. Therefore, the District has to build in capacity for possible hydrant use. The Public Utilities Commission establishes that part of water districts' revenue comes from public hydrants. Responding to Councilor Rice, he said that private hydrants will also have an increase. Responding to Councilor Sartoris' question, said that one factor in the calculation of fire hydrant charges is based on excess capacity that the District has available. Responding to Councilor Sartoris' questions on water conservation, Mr. Cyr said in the past the District has sent out information on how to reduce usage. Generally, they have a good water supply and have not recently sent out conservation information. As far as reducing a bill, now if anyone reduces their use, they can reduce their bill, yet there are certain fixed expenses that the District has. Service charges recover a good portion of those costs.

Councilor Sartoris strongly recommended and requested that the Water District provide information on conservation measures to customers when sending out the bills.

**Mr. Cyr**, responding to Chair Priest's question about why they waited so long for an increase, said the District did not need one until recently. Reasons included: there have been increases in debt service and MDOT has required them to replace lines in Topsham and elsewhere, which would not have otherwise been replaced. This resulted in unexpected expenses. Responding to Councilor McCausland's question, the biggest water user is the Naval Air Station, and they will have the largest increase.

Councilor McCausland asked the District not to wait as long in the future for increases, so it would not be as hard on home budgets.

**136. The Town Council will consider setting a Public Hearing to limit the time for the loading zone on South Street and will take any appropriate action.**

Manager Gerrish said this item would limit the Loading Zone the town approved on South Street to the hours between 7:30 a.m. and 6:30 p.m. in front of Bowdoin's Day Care facility. The Council action would be to set a Public Hearing.

Councilor Randolph suggested adding the words "Monday through Friday" and "No parking anytime" to the proposed sign.

After discussion, it was decided to add "Monday through Friday" to the proposed ordinance.

**Councilor McCausland moved, Councilor Watson seconded, to set a Public Hearing for August 5, 2002, on proposed changes to the Parking Ordinance, specifically the Loading Zone on South Street. The motion carried with eight (8) yeas.**

**137. The Town Council will discuss a letter from George Gilmore concerning acquiring property on Merepoint Road and will take any appropriate action.**

This item was withdrawn.

138. Statutory notice having been provided to Pauline Hannaford, Chuck Starbird and the Planning Board, the Council will consider accepting the dedication by Quitclaim Deed with Covenants of the new Moody Road/Durham Road intersection from Pauline Hannaford and from Chuck Starbird. The Council will also consider approval of the Discontinuance Order and the Consent to Discontinue the old Moody Road/Durham Road intersection, and will take any appropriate action. If both the Discontinuance Order and the Consent to Discontinuance are approved, the Council will order that they be filed with the Town Clerk.

Manager Gerrish said this item would clear the title for the work the town has done on relocating the intersection of Moody Road and Durham Road.

**Councilor McCausland moved, Councilor Randolph seconded, to accept the dedication by Quitclaim Deed with Covenants of the new Moody Road/Durham Road intersection from Pauline Hannaford and from Chuck Starbird; and to approve the Discontinuance Order and the Consent to Discontinue the old Moody Road/Durham Road intersection. The motion carried with eight (8) yeas.**

*(A copy of the Quitclaim Deed and Consent to Discontinuance Order will be attached to the official minutes.)*

137. The Town Council will consider abolishing the Welfare Appeals Board and appointing three persons, with the power to act individually, as the Town of Brunswick Fair Hearing Authority, and will take any appropriate action.

Manager Gerrish said this item would disband the current Welfare Appeals Board and establish three members to act independently to hear welfare appeals. He would recommend that the date of September 1 be set up for the switch to the new process. This would allow the town to find the three members. It is his belief that some of the existing Board members will agree to be part of the new process.

To allow for enough time to appoint the committee, the effective date will be October 1, 2002.

**Councilor Randolph moved, Councilor Watson seconded, to abolish the Welfare Appeals Board and to appoint three persons, with the power to act individually, as the Town of Brunswick Fair Hearing Authority, as of October 1, 2002. The motion carried with eight (8) yeas.**

138. The Town Council will consider a request to hang a banner over Maine Street from August 19 through September 3, for the purpose of promoting the 24<sup>th</sup> Annual Thomas Point Beach Bluegrass Festival, and will take any appropriate action.

Councilor Randolph asked if they paid a fee to have this banner and if no, she thought it could be considered in the future for other requests.

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Manager Gerrish responded there is no fee but they are required to provide insurance.

Councilor Galloupe added that those putting up a banner must be from a nonprofit organization.

**Councilor Watson moved, Councilor Sartoris seconded, to approve the request from the Thomas Point Bluegrass Festival to hang a banner over Maine Street from August 19 through September 3, 2002. The motion carried with eight (8) yeas.**

**Councilor Randolph moved, Councilor Crimmins seconded, to adjourn the meeting. The motion carried with eight (8) yeas.**

The meeting adjourned at 9:10 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*

*July 19, 2002*

August 5, 2002

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*Date of Approval*

Charles R. Priest

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*Council Chair*