

- APPROVED -
BRUNSWICK TOWN COUNCIL MINUTES
March 17, 2003
Municipal Meeting Facility

6:45 p.m. EXECUTIVE SESSION: Discussion of possible property acquisition and the sale of property.

Councilor Watson moved, Councilor Lowe seconded, to go into executive session to discuss possible property acquisition and sale of property. The motion carried with six (6) 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, Nancy E. Randolph, Forrest Lowe, and Stephen H. McCausland.

Councilors Absent: Councilor Douglas A. Rice.

Others Present: Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Patricia Harrington, Assistant Town Manager; John Foster, Public Works Director; Ben Jorgensen, Deputy Public Works Director; Geoffrey Hole, Town Attorney; Michael Vaughan, State Representative District 85; members of Councilor Crimmins' family; several citizens, members of the press, and TV video crew.

Chair Priest read a proclamation honoring Councilor Thomas Crimmins for all his work as both a citizen and councilor. Councilor Crimmins passed away on March 5, 2003.

Chair Priest moved, Councilor Watson seconded, moved to adopt the Proclamation honoring Councilor Crimmins. The motion carried with seven (7) yeas.

Councilors Priest, McCausland, and Watson spoke of the many great things that Councilor Crimmins did and how he will be missed.

Chair Priest presented the Crimmins family with the Proclamation and Mr. Crimmins' council name plaque.

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

Minutes of Previous Meetings: March 3, 2003

Hearing no objection from the Council, Chair Priest declared the minutes of March 3, 2003, accepted with one amendment under Correspondence by changing the word "discussed" to "announced" after Councilor Randolph's name.

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Correspondence:

Letter from Bicycle/Pedestrian Advisory Committee

Manager Gerrish read a letter from this Committee discussing Maine Street issues.

(A copy of Mr. Balicki's letter will be attached to the official minutes.)

Chair Priest asked Councilor Randolph and Councilor Galloupe to meet with the Bicycle and Pedestrian Advisory Committee to discuss their concerns.

Councilor McCausland provided a reminder of the Cable TV Franchise Committee's public forum on Monday, March 24 at 7:00 p.m.

Councilor Lowe reported a delegation of six (6) went to Trinidad, Cuba to formulize the sister city relationship with them. It was a remarkable experience and the people treated them very well.

Councilor Sartoris said the trip was a wonderful experience and the people are very warm. She listed events regarding Trinidad to be held at Curtis Memorial Library, Henry and Marty's Restaurant, Thornton Oaks, Maine Pines, Pedro O'Hara's and other locations throughout town. The delegation hopes to share as much of their journey as possible. The events information will be available at the Curtis Library and the other locations listed.

Manager's Report:

1) Bike Path Extension Planning Update

Manager Gerrish discussed this extension of the Bike Path. As the Council is aware, the town received a state grant (with Bath) to explore extending the Bike Path to Bath. The initial route was to use Old Bath Road. After holding a public meeting, it was decided to also look at the route that continues down divided Route One. After both options were investigated, another public meeting was held. At the meeting there was a clear directive to focus the planning on the Route One alternative. The purpose of this item is to inform the Council and citizens that the town is going forward with the Route One alternative for the town's planning purposes.

2) Special Meeting on Fire Station Report

Manager Gerrish said the Council has scheduled a special meeting for March 31, 2003, for a presentation on the latest report on the proposed Fire Station.

3) Report on Privatization of Trash Pickup

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Manager Gerrish said the town is considering privatizing trash pick-up. He is looking for the Council's input on this proposal to see if the town should continue its efforts in that direction.

John Foster, Public Works Director, made a presentation on this item. Citizens should not notice any difference in trash pick-up. Due to the high number of workers' injuries, it was decided, after exploring other options, to look at the possibility of privatization of trash pick up. The cost is expected to be over thirty eight thousands dollars (\$38,000) more per year with privatization than the current cost. The cost to change public works current method would cost ninety one thousand eight hundred ninety four dollars (\$91,894) more a year.

(A copy of Mr. Foster's memo and a budget impact analysis will be attached to the official minutes.)

Manager Gerrish said the town feels privatization is the way to go. Many other communities currently contract out this service.

Councilor Sartoris asked if the price could be reduced if recycling increased.

Ben Jorgensen, Deputy Public Works Director, said the cost is based on number of stops with average size loads. Increasing recycling will not have an impact on the pick up cost, but it is good to do for the landfill's longevity.

Councilor Randolph moved, Councilor Watson seconded, to send the message to the Town Manager and Public Works to aggressively explore the option of privatizing trash pickup.

Councilor McCausland asked why it was taken out of the budget process.

Manager Gerrish said they need to make a change and must decide prior to the budget so he will have direction for it. Recycling is not part of this proposal.

Mr. Foster said, responding to Councilor Watson's question about costs, the benefits portion reflects the worker's comp rate and they have back up drivers to cover when someone is out.

Mr. Foster said, responding to Chair Priest's question, the cost reflects picking up the trash, not the disposal cost since it is coming to the town's landfill.

Councilor Randolph said her motion is based on the human cost. She recommended putting in dumpsters in certain locations to assist with trash pick up.

Manager Gerrish said the worker's comp cost is based on a three (3) year experience; if the town pick up is eliminated, there could be cost savings in the future.

Councilor Randolph moved, Councilor Watson seconded, to send the message to the Town Manager and Public Works to aggressively explore the option of privatizing trash pickup. The motion carried with seven (7) yeas.

Adjustments to Agenda:

Added Item 47 regarding utility location permit.

Added Item 48 regarding tax acquired property and setting May 1 as deadline to pay taxes.

 **The Town Council will hear public comments on the following requests for Victualer license applications and will take any appropriate action.**

**United Lodge No. 8 d/b/a Masonic Hall
65 Baribeau Drive**

Robert Webber

**Mr. and Mrs. Sausage, Inc. d/b/a Mr. and Mrs. Sausage
28 Durham Road**

Stanley Brawn

Chair Priest opened the public hearing.

Stanley Brawn, Mr. Sausage, spoke about improvements to his parking and additions to the food menu.

Chair Priest closed the public hearing.

Councilor Sartoris moved, Councilor Watson seconded, to approve requests for Victualer licenses from the Masonic Hall and Mr. and Mrs. Sausage. The motion carried with seven (7) yeas.

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

 **The Town Council will hear public comments on the submission of a Community Development Block Grant in the Public Service Program on behalf of the Tedford Shelter and will take any appropriate action.**

Chair Priest opened the public hearing.

Jim Martin, President of Tedford Shelter's Board of Directors, spoke in favor of the grant and hoped for Council support.

Donald Kniseley, Director of the Tedford Shelter, said, responding to Councilor Sartoris' question on the regionalization issue of lack of affordable housing, the homeless

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coordinator will work with other communities on prevention issues and they give preference to those in this region to use the shelter, most of whom are from Brunswick.

(A copy of his memo on this matter can be found attached to the March 3, 2003, minutes.)

Maria Syphers, United Way, spoke in favor of the grant.

Chair Priest closed the public hearing.

Manager Gerrish said there is a cost of one thousand dollars (\$1,000) to the town for administration and Tedford has agreed to pay it.

Councilor Sartoris moved, Councilor Galloupe seconded, to approve the application for a CDBG Grant in the Public Service Program on behalf of the Tedford Shelter. The motion carried with seven (7) yeas.

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

40. The Town Council will discuss setting a special election to fill the At Large Councilor vacancy and will take any appropriate action.

Fran Smith, Town Clerk, discussed the issues and proposed dates for the special election. She recommended June 10, 2003, as the proposed date.

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

Geoffrey Hole, Town Attorney, said, responding to Councilor Randolph's question on consolidation of polls, the town charter has a provision that would not allow this for a municipal election since the voting places need to be the same as for a state election.

Councilor Lowe moved, Councilor Watson seconded, to set a Special Election for June 10, 2003, to fill the At Large Councilor vacancy, with nomination papers available from March 21, 2003, to April 25, 2003. The motion carried with seven (7) yeas.



The Town Council will discuss the request from Family Focus to purchase 44 Water Street and will take any appropriate action.

Manager Gerrish said this item deals with the Family Focus request to purchase 44 Water Street for their use. Two (2) years ago the town agreed to sell the property to Family Focus, who were going to construct a new building on the property to house their administrative offices and provide a pre-school. This project was a twenty thousand (20,000) to twenty five thousand (25,000) square foot building. This project was not able to go forward for a number of reasons. For the last couple of years, Family Focus has utilized the property while the town was waiting to finalize this project. Temporary modular units were placed on the site to allow them to continue their pre-school. Family

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Focus pays for the rental of the modulares. The main building has been closed since October and needs to be demolished. Family Focus moved their administrative offices to Bath in October. The Council needs to decide on the request from Family Focus in light of the change in the proposal and in light of the town's future need for the property.

Lee Parker, Executive Director of Family Focus, discussed their proposal to purchase the property on Water Street. They have found no other location to go and are asking the Council to reopen negotiations on the purchase of the Water Street location.

(A copy of Ms. Parker's letter and a timeline will be attached to the official minutes.)

Councilor McCausland asked the Town Manager for his recommendation.

Manager Gerrish said the town's needs have changed since the 1998 discussion and it may need to use the space. The town has a need, but it is up in the air what the town is going to do with the space.

Councilor Randolph said this program supports lower income folks and she is very supportive of it.

Councilor Lowe said that there have been other proposals by Family Focus that have not come to light. He questioned how this proposal will work differently from others.

Ms. Parker said they have already put fifty thousand dollars (\$50,000) into an architect and other research/surveys. If they do not have a viable project by May, they will lose money to assist in paying for it.

Manager Gerrish said, responding to Councilor Sartoris' question about other locations, the choices are very limited in other locations. It is a difficult decision with the town's needs and Family Focus' needs. Insurance issues have forced the town's hand at this site, and the need for a decision on its uses.

Councilor Sartoris said Family Focus has been focusing on this site for some time and the loss of it could be very bad for them.

Councilor Sartoris moved, Councilor Randolph seconded, to go ahead to enter into negotiation with Family Focus on purchase of this property. (Since a motion was not required, it was withdrawn.)

Manager Gerrish said there are issues that the Council needs to look at again.

Councilor Lowe supports the mission of Family Focus and would like to see their proposal on what can occur at the Water Street site.

Chair Priest asked to have a Councilor(s) work with the Town Manager and Family Focus on this negotiation.

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Councilor Lowe and Councilor Randolph volunteered.

- 42. The Town Council will receive a report from the Cable TV Advisory Committee concerning the Committee's charge and the establishment of a Cable TV Live Telecast Policy and will take any appropriate action.**

Chair Priest read the proposal for the live telecast policy.

(A copy of an e-mail from Mr. Fenn and a memo from John Goran, Cable TV Coordinator, will be attached to the official minutes.)

Roger Fenn, Chair of the Cable TV Committee, said there are a couple of town regulatory committees that are not televised. The Committee felt they needed to establish a priority system so these meetings could be televised.

Chair Priest moved, Councilor Lowe seconded, to accept the recommendation of the Cable TV Advisory Committee to approve the Cable TV Live Telecast Policy. The motion carried with seven (7) yeas.

Chair Priest read the proposed change to the Cable TV Advisory Committee's charge.

Mr. Fenn discussed how the current language is outdated and the new language reflects what the Committee is doing.

Councilor Lowe recommended there be no specific cable company name stated in the charge and the Council agreed.

Chair Priest moved, Councilor Lowe seconded, to accept the recommendation from the Cable TV Advisory Committee on their charge. The motion carried with seven (7) yeas.

- 43. The Town Council will consider the appointment of a Councilor to fill vacancies on the Appointments Sub-Committee and the AFSCME Union Negotiating Committee and will take any appropriate action.**

Chair Priest appointed Councilor Galloupe to the Appointments Sub-Committee and Councilor Sartoris to assist with the AFSCME negotiations.

 **The Town Council will consider passing a Resolution concerning funding for the Industrial Park Expansion engineering costs and will take any appropriate action.**

Manager Gerrish said this item would authorize funding for engineering costs for the expansion of the Industrial Park.

Councilor Lowe moved, Councilor Watson seconded, to approve the Resolution authorizing an Interfund Advance from Unappropriated Available General Fund Revenues and the Emergency Appropriation of up to sixty thousand dollars (\$60,000) for the purpose of funding engineering costs related to the expansion of the Brunswick Industrial Park. The motion carried with seven (7) yeas.

(A copy of the Resolution and fiscal note will be attached to the official minutes.)

 **The Town Council will consider accepting property from Coastal Construction Services and Wally Hovey General Contractor and will take any appropriate action.**

Manager Gerrish said this item would accept the property designated to the town from the Munn subdivision off Harpswell Road. This property is a key parcel in the town's trail system and the town would recommend acceptance.

Councilor Randolph moved, Councilor Sartoris seconded, to accept property from Coastal Construction Services and Wally Hovey General Contractor, as laid out by Warranty Deed. The motion carried with seven (7) yeas.

(A copy of the Warranty Deed will be attached to the official minutes.)

 **The Town Council will consider appointments to the Audit Committee, the Sewer District Board of Trustees and the Fence Viewer and will take any appropriate action.**

Councilor Sartoris moved, Councilor Watson seconded, to nominate Karen Hastings to the Audit Committee, and to ask the Chair to cease nominations and cast one vote for Ms. Hastings to serve on this committee. The motion carried with seven (7) yeas.

Councilor Sartoris moved, Councilor Watson seconded, to nominate Sophia Pfeiffer to the Sewer District Board of Trustees, and to ask the Chair to cease nominations and cast one vote for Ms. Pfeiffer to serve on this board. The motion carried with seven (7) yeas.

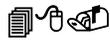
Councilor Sartoris moved, Councilor Watson seconded, to nominate Mark Worthing as the Fence Viewer, and to ask the Chair to cease nominations and cast one vote for Mr. Worthing to serve in this position. The motion carried with seven (7) yeas.

Councilor Sartoris said she would like the Appointment Committee to meet to discuss timelines, and multiple appointments. Those she and Councilor Crimmins interviewed for the Mere Point Boat Launch Committee will have an opportunity to be interviewed by the full appointments committee if they wish to have this second interview.

47. (ADDED) The Town Council will consider a request from the Brunswick and Topsham Water District for a utility location permit on Harpswell Road and will take any appropriate action.

Councilor McCausland moved, Councilor Watson seconded, to approve the Brunswick/Topsham Water District's request for a Utility Location Permit on Harpswell Road, with conditions outlined in a memo from John Foster, Public Works Director, to Don Gerrish, Town Manager, dated March 13, 2003. The motion carried with seven (7) yeas.

(A copy of Mr. Foster's memo dated March 13, 2003, laying out conditions of approval, will be attached to the official minutes.)

-  (ADDED) The Town Council will consider setting May 1, 2003, as the final redemption date for tax acquired properties eligible to be redeemed under the Tax Acquired Real Estate Policy and take any appropriate action.

Councilor McCausland moved, Councilor Randolph seconded, to set May 1, 2003, as the final redemption date for tax acquired properties eligible to be redeemed under the Tax Acquired Real Estate Policy. The motion carried with seven (7) yeas.

Councilor Randolph moved, Councilor Watson seconded, to adjourn the meeting. The motion carried with seven (7) yeas.

The meeting adjourned at 9:14 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
March 20, 2003*

April 7, 2003

Date of Approval

Charles R. Priest

Council Chair