

APPROVED
BRUNSWICK TOWN COUNCIL
Minutes
April 5, 2010
6:30 P.M. – Executive Session
7:00 P.M. – Regular Meeting
Municipal Meeting Room
Maine Street Station
16 Station Avenue

Councilors Present: Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, and Deborah R. Atwood

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk; Anna Breinich, Director of Planning and Development; Dave Markovchick, Director of Economic Development; Richard Rizzo, Police Chief; John Foster, Public Works Director; Tom Farrell, Director of Parks and Recreation; Marc Hagan, Police Commander; Kevin Schofield, Police Commander; Jeff Emerson, Deputy Fire Chief; Don Koslosky, Deputy Fire Chief; Denise Clavette, Special Projects Assistant; Mark Waltz, Police Lieutenant; and TV video crew.

Executive Session: **Acquisition of Real Property and Economic Development Per 1 M.R.S.A. §405(6)(C)**

Councilor Watson moved, Councilor Perreault seconded, to go into Executive Session to discuss Acquisition of Real Property and Economic Development Per 1 M.R.S.A. §405(6)(C). The motion carried with seven (7) yeas. Councilor Tucker and Councilor Pols arrived after the vote.

Meeting Resumed at 7:00 p.m.

Chair King called for the Pledge of Allegiance.

Public Comment: None

Correspondence:

Councilor Knight read from an email from Tina Philips, Brunswick - Trinidad Sister City Association, on the upcoming Cuba Week.

Councilor Tucker and Councilor Perreault acknowledged the number of emails the Council has received and said they are valued.

Councilor Perreault asked for opinions before voting on issues.

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Adjustments to the Agenda: None

MANAGER'S REPORT:

(a) Council Committee Updates

Reports were given on the following committees: Brunswick Teen Center, Recycling and Sustainability Committee, Downtown Master Plan Update Committee, Elementary School Building Committee and Police Station Subcommittee.

Councilor Pols asked questions on the Elementary School project, to which Councilor Favreau and Manager Brown responded.

(b) Update on Bath Road/Maine Street/First Parish Church intersection

Manager Brown updated the Council on this project.

Councilor Favreau, Councilor Knight, and Councilor Watson asked questions, to which Manager Brown responded.

Councilor Perreault spoke on this item.

Councilor Wilson spoke on this item.

(c) Update on the Bath Road and the Mere Point Road construction projects

Manager Brown updated the Council on these projects.

John Foster, Public Works Director, spoke on this item. He also responded to questions from Manager Brown, Chair King, Councilor Wilson, and Councilor Favreau.

(d) Authorization to apply for State Bureau of Highway Safety Grant (Action Required)

Manager Brown spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to authorize the Police Department to apply for a State Bureau of Highway Safety Grant in an amount up to \$10,000 to perform extra OUI and seatbelt enforcement details. The motion carried with nine (9) yeas.

(A copy of information on the grant will be attached to the official minutes.)

(e) Acceptance of Forfeited Asset (Action Required)

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Manager Brown spoke on this item.

Councilor Perreault asked a question, to which Commander Kevin Schofield responded.

Councilor Watson moved, Councilor Perreault seconded, to accept and expend Forfeited Assets in the form of funds in an amount up to \$16,195, related to Criminal Action Docket No. CR-09-8425 (for \$4,385) and Criminal Action Docket No. CR-09-6538 (for \$11,810). The motion carried with nine (9) yeas.

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

(f) Acceptance of a Grant from the Land for Maine's Future Board relative to the Maquoit Bay Project (Action Required)

Manager Brown spoke on this item.

Councilor Wilson spoke on this item.

Councilor Watson moved, Councilor Pols seconded, to accept and expend grant funds in the amount of \$36,750 from the Land for Maine's Future to be used to improve access to the Maquoit Bay Project. The motion carried with nine (9) yeas.

(A copy of the letter and grant application will be attached to the official minutes.)

(g) Report on Spring Clean-Up

Manager Brown spoke on this item.

(h) MRRA Update

Denise Clavette, Special Projects Assistant, spoke on this item. She responded to questions from Chair King, Councilor Atwood, Councilor Watson, and Councilor Favreau.

Councilor Perreault spoke on this item.

(A copy of Ms. Clavette's speaking points will be attached to the official minutes.)

(i) (ADDED) Approval of TIF District

Manager Brown spoke on the approval of the Maine Street Station TIF district by the state.

PUBLIC HEARINGS:

40. The Town Council will hear public comments on the following Special Amusement License, and will take any appropriate action.

Special Amusement

Byrnes Irish Pub LLC

D/B/A: Byrnes Irish Pub

16 Station Avenue

Joe Byrnes

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

Councilor Tucker abstained since his law firm represents the owner of the pub.

Councilor Perreault asked a question, to which Manager Brown responded.

Councilor Atwood moved, Councilor Favreau seconded, to approve the Special Amusement License for Byrnes Irish Pub located at 16 Station Avenue. The motion carried with eight (8) yeas. Councilor Tucker abstained.

TABLED ITEMS

- 36. The Town Council will consider approving a Municipal/State Agreement regarding the operation and maintenance of a traffic signal at the intersection of Maine and McKeen Streets, and will take any appropriate action.**

Manager Brown spoke on this item.

Stephen Landry, Assistant State Traffic Engineer MDOT, responded to Councilor Atwood's, Councilor Perreault's, Councilor Pols', and Councilor Watson's questions.

Chair King, Councilor Favreau, Councilor Knight, Councilor Atwood, Councilor Wilson, Councilor Pols, Councilor Tucker, and Councilor Perreault spoke on this item.

Councilor Atwood read an email from **Jean Powers**, Redwood Lane.

Dick Morrell, Boody Street, asked a question, to which Mr. Landry responded.

Councilor Favreau moved, Councilor Wilson seconded, to approve a Municipal/State Agreement regarding the operation and maintenance of a traffic signal at the intersection of Maine and McKeen Streets. The motion carried with six (6) yeas. Councilor Tucker, Councilor Pols and Councilor Atwood were opposed.

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

NEW BUSINESS ITEMS:

- 41. The Town Council will hear an overview from the Town Manager of the Municipal Budget for 2010-2011, and will determine if any future action is necessary.**

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Manager Brown spoke on this item.

Councilor Pols spoke on the item. He asked questions, to which Manager Brown responded.

Councilor Atwood, Councilor Favreau and Councilor Wilson spoke on this item.

Marji Greenhut, Noble Street, spoke on this item.

- 42. The Town Council will consider adopting a Resolution for an Emergency Appropriation of \$165,000 from Unappropriated Available General Fund Revenues for the Purchase of a New Emergency Services Rescue Vehicle, and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor Favreau asked a question, to which Manager Brown responded.

Councilor Perreault spoke on this item.

Don Koslosky, Deputy Fire Chief, responded to Councilor Perreault's comments and answered questions from Chair King, Councilor Pols and Councilor Favreau questions.

Councilor Watson spoke on this item and asked a question, to which Deputy Chief Koslosky responded.

Councilor Wilson spoke on this item.

Councilor Pols moved, Councilor Watson seconded, to adopt a Resolution for an Emergency Appropriation of \$165,000 from Unappropriated Available General Fund Revenues for the Purchase of a New Emergency Services Rescue Vehicle. The motion carried with nine (9) yeas.

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

- 43. The Town Council will consider approving a consolidation of Emergency Services agreement between the Town of Brunswick and the Town of Freeport, and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor Perreault and Councilor Pols asked questions, to which Commander Schofield responded.

Councilor Wilson spoke on this item.

Councilor Watson moved, Councilor Favreau seconded, to authorize the Town Manager to enter into an agreement between the Town of Brunswick and the Town of Freeport to consolidate dispatch services. The motion carried with nine (9) yeas.

(A copy of a summary of the agreement will be attached to the official minutes.)

- 44. The Town Council will hear comments from Councilor Atwood relative to the relationship between the Federal budget and local budget challenges, with a focus on federal dollars allocated for war spending, and will determine if any future action is necessary.**

Councilor Atwood spoke on this item.

Christine DeTroy, 43 Willow Grove Road, spoke on this item.

Mary Heath, 10 Cedar Street, spoke on this item.

(A copy of a draft Resolution as presented by Ms. Heath (no Council action was taken) will be attached to the official minutes.)

Selma Sternlieb, 21 McKeen Street, spoke on this item.

- 45. The Town Council will consider setting a public hearing for April 26, 2010, on amendments to the Code of Ordinances, Chapter 5, Buildings and Building Regulations, relative to correcting fees that reduce them for foundations, and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor Perreault abstained since he is a contractor and these changes would affect his business.

Councilor Watson moved, Councilor Wilson seconded, to set a public hearing for April 26, 2010, on amendments to the Code of Ordinances, Chapter 5, Buildings and Building Regulations, relative to correcting fees, which reduces them for foundation permits. The motion carried with eight (8) yeas. Councilor Perreault abstained.

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

Councilor Pols made nominations and the Council voted nine (9) yeas on all, as follows:

Dale Viles to serve on the Cable TV Committee

Jason Coombs to serve on the Conservation Commission

Amanda Mahaffey to serve on the Conservation Commission

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Mark Worthing to serve as the Fence Viewer

Jeff Peters to serve on the Planning Board

Dana Totman to serve on the Planning Board

Richard Visser to serve on the Planning Board

Thomas Green to serve on the Sewer District Trustees

Peter Schwindt to serve on the Sewer District Trustees

Dave Wilby to serve on the Zoning Board of Appeals

CONSENT AGENDA

- (a) **Approval of the Minutes of March 15, 2010**
- (b) **Appointment of Jeff Hutchinson as Codes Officer and Local Plumbing Inspector with a term to expire on 05/03/2011**
- (c) **Appointment of Carl Adams as alternate Codes Officer and alternate Local Plumbing Inspector with a term to expire on 05/03/2011**
- (d) **Approval of games of chance for the St. John the Baptist Parish Bazaar on June 17, 2010, June 18, 2010, and June 19, 2010**
- (e) **Approval of MDOT Overweight Vehicle Agreement**
- (f) **Approval of Utility Location Permits for Maine Natural Gas**
- (g) **Approval of Utility Location Permit for Brunswick & Topsham Water District**

Councilor Watson moved, Councilor Knight seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

(A copy of the materials for e, f, and g, will be attached to the official minutes.)

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

The meeting adjourned at 9:50 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.

Frances M. Smith

Town Clerk

April 7, 2010

April 26, 2010

Date of Approval

Council Chair

