

Approved
BRUNSWICK TOWN COUNCIL
Minutes
December 19, 2011

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/Assistant to Town Manager; Pat Scully, Town Attorney; Richard Rizzo, Police Chief; Mark Waltz, Police Captain; Jeff Emerson, Deputy Fire Chief; Anna Breinich, Director of Planning and Development; Russ Wrede, Police Sergeant; and TV video crew.

Chair King called the meeting to order and asked the Clerk for roll call.

Executive session – Consultations with legal counsel per M.R.S.A. §405(6)(E) and Economic Development to discuss the MRRA TIF per 1 M.R.S.A. §405(6)(C)

Councilor Watson moved, Councilor Knight seconded, to go into executive session to consult with legal counsel per M.R.S.A. §405(6)(E) and to discuss Economic Development regarding the MRRA TIF per 1 M.R.S.A. §405(6)(C). The motion carried with six (6) yeas. Councilor Perreault, Councilor Pols and Councilor Atwood arrived after the vote.

Public Comment:

Ed McCartan, a painter with work on display in the Council Chamber, thanked the Council for allowing his work to be displayed.

A group of citizens thanked Councilor Atwood for her work on the Council. Punnie Edgerton and Holly Green also expressed thanks for her work on the Recycling Committee.

Mary Lou Zeeman, 3 Oliveira Lane, spoke about the Amtrak Layover facilities and the need for the Town to conduct an independent sound study.

Chair King made a presentation to Councilor Atwood. Councilor Atwood made comments.

Correspondence:

Pat Scully, Town Attorney, explained that the Town did not violate the Right to Know law at a neighborhood meeting on the train facilities. The Attorney General's office and MMA agreed with his interpretation. He responded to questions from Councilor Atwood and Councilor Pols.

Councilor Pols read a letter of appreciation from a 3rd grade class he spoke with.

Councilor Atwood asked for an update on the Oak Street fire damaged building, which Manager Brown gave.

Adjustments to the Agenda: None

MANAGER'S REPORT:

(a) Financial Update

Manager Brown provided this update.

(b) Council Committee Updates

Reports were given on the following committees: Master Plan Implementation Committee, Teen Center, Open Space Committee, Recycling and Sustainability Committee, and Police Station Building Committee.

(c) Presentation of new Town of Brunswick web page

Denise Clavette and Councilor Watson spoke on this item.

Laurie Banks and **Michael Townsend**, of Perry and Banks, made a presentation on the website.

(d) Update on Amtrak Conference

Manager Brown spoke on this item.

(e) (ADDED) Parking Bans

Manager Brown spoke on this item.

PUBLIC HEARINGS

- 144. The Town Council will hear public comments on an application for an Alcoholic Beverage License, and will take any appropriate action. (Manager)**

**Full-Time Vinous & Malt
Xue Hua Zhang/Xu Hang Zhang
D/B/A: China Rose
42 Bath Road**

Xue Hua Zhang/Xu Hang Zhang

Chair King opened the public hearing.

Cuong Ly, prior owner of China Rose, spoke on this item.

Chair King closed the public hearing.

Councilor Perreault moved, Councilor Watson seconded, to approve an application for an Alcoholic Beverage License for China Rose, 42 Bath Road. The motion carried with nine (9) yeas.

TABLED ITEMS

142. **The Town Council will hear public comments on a proposed Fireworks Ordinance prohibiting the sale and use of fireworks in Brunswick, to be enacted on an emergency and regular basis, and will take any appropriate action. (Councilor Tucker)**

Councilor Tucker and Councilor Favreau spoke on this item.

The following people spoke on this item:

Mike Laskey, 248 Bunganuc Road
Mary Beth Ford, ophthalmologist and Brunswick resident
Randy Dumont, 84 Maquoit Road
Rich Ellis, 231 Adams Road
Jennifer Johnson, 10 Wadsworth Road
Sandra Pelletier, Ridge Road
Jim Chase, Gurnet Road

Councilor Perreault and Councilor Favreau spoke.

Amendment to Motion:

Councilor Favreau moved, Councilor Perreault seconded, to amend the proposed ordinance to allow for the use of fireworks in certain sections of town with a town issued permit. The motion failed with two (2) yeas. Councilor Watson, Councilor Tucker, Councilor Wilson, Chair King, Councilor Knight, Councilor Pols and Councilor Atwood were opposed.

Mr. Scully responded to a question from Councilor Atwood.

Councilor Pols, Councilor Wilson, Councilor Atwood, Councilor Watson, Chair King, and Councilor Knight spoke on this item.

Main Motion:

Councilor Tucker moved, Councilor Knight seconded, to adopt the proposed Fireworks Ordinance prohibiting the sale and use of fireworks in Brunswick, to be enacted on an emergency and regular basis. The motion carried with six (6) yeas. Councilor Watson, Councilor Favreau, and Councilor Perreault were opposed.

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

NEW BUSINESS

145. The Town Council will consider setting a public hearing for January 17, 2012, for Zoning Ordinance amendments to allow municipal facilities to exceed the applicable zoning district maximum impervious cover and maximum building footprint standards each by not more than forty (40%) percent, and will take any appropriate action. (Manager)

Manager Brown spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to set a public hearing for January 17, 2012, to amend the Zoning Ordinance to allow municipal facilities to exceed the applicable zoning district maximum impervious cover and maximum building footprint standards each by not more than forty (40%) percent. The motion carried nine (9) yeas.

146. The Town Council will consider setting a public hearing for January 17, 2012, for amendments to the Municipal Code of Ordinances Chapter 15 Traffic and Vehicles Streets, Sidewalks and Other Public Places to clarify the authority of the Parking Enforcement Officer, restrict parking near the new Harriet Beecher Stowe School, create a no parking zone on Noble Street near the Inn, allow moped parking in yellow striped no parking zones on Maine Street, provide all day parking on Elm Street, and remove bus stops on Station Avenue and on Maine Street near Potter Street, and will take any appropriate action. (Manager)

Councilor Knight spoke on this item.

Councilor Tucker moved, Councilor Watson seconded, to set a public hearing for January 17, 2012, for amendments to the Municipal Code of Ordinances Chapter 15 Traffic and Vehicles Streets, Sidewalks and Other Public Places to clarify the authority of the Parking Enforcement Officer, restrict parking near the new Harriet Beecher Stowe School, create a no parking zone on Noble Street near the Inn, allow moped parking in yellow striped no parking zones on Maine Street, provide all day parking on Elm Street, and remove bus stops on Station Avenue and on Maine Street near Potter Street. The motion carried with nine (9) yeas.

147. The Town Council will consider adding a citizen member with an interest in sustainability to the Police Station Building Committee, and will take any appropriate action. (Chair King)

Chair King, Councilor Perreault, and Councilor Watson spoke on this item.

Councilor Perreault moved, Councilor Favreau seconded, to add an additional citizen with a background in sustainability building to the Police Station Building Committee. The motion carried with nine (9) yeas.

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- 148. The Town Council will hear a report on a proposed CIP process, and will take any appropriate action. (Councilor Wilson)**

Councilor Wilson gave this report.

- 149. The Town Council will consider appointments to Town Boards and Committees, and will take any appropriate action. (Appointment's Committee)**

Councilor Favreau made the following nominations, which were supported by the Councilors with nine (9) yea votes:

Michael Wilson to serve on the Police Station Building Committee

Michael Olivo to serve on the Board of Assessment Review

Dorothy Ollier to serve on the Board of Assessment Review

Arthur Boulay to serve on the Personnel Board as a full member

Dale King to serve on the Personnel Board as a full member

Pamela Edgerton to serve on the Recycling and Sustainability Committee

John Poutree to serve on the Zoning Board of Appeals as a full member

CONSENT AGENDA

(a) Approval of the Minutes of December 1, 2011

(b) Approval of the Minutes of December 5, 2011

(c) Approval of Beano and Games of Chance for the Knights of Columbus

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

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

The meeting adjourned.

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

Frances Smith

Town Clerk/Assistant to the Town Manager

January 7, 2012

January 17, 2012

Date of Approval

Council Chair