

**-- APPROVED --**  
**BRUNSWICK TOWN COUNCIL**  
**MINUTES**  
**February 17, 2009**  
**7:00 P.M.**

**Councilors Present:** Chair Hallie Daughtry W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, and Deborah R. Atwood.

**Councilors Absent:** Councilor Joanne T. King.

**Town Staff Present:** Gary Brown, Acting Town Manager; Fran Smith, Town Clerk; John Eldridge, Finance Director; Tom Farrell, Parks and Recreation Director; Anna Breinich, Director of Planning and Development; Craig Worth, Deputy Public Works Director; Peter Baecher, Parks and Recreation Facilities Manager; and TV video crew.

Chair Daughtry called the meeting to order and asked for the Pledge of Allegiance and roll call.

**Public Comment:**

**Alvah Luce**, 65 Harpswell Street, discussed towing guidelines and the problem with steering cars to certain auto body shops.

**Bernard Coombs**, 28 Merryman Lane, thanked the Council for recent ordinance changes to allow MDOT signs and for supporting existing businesses staying here.

**Correspondence:**

Letter from Anne Marr regarding a planning grant.

There was also a letter from the Northwest Brunswick Neighborhood Association regarding not supporting a planning grant for that area discussed.

*(A copy of Ms. Marr's letter will be attached to the official minutes.)*

**Adjustments to the Agenda:**

None

**Manager's Report:**

**(a) Financial Update**

Manager Brown gave this report.

*(Copies of the financial summary reports will be attached to the official minutes.)*

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**(b) Council Committee Updates**

Councilor Knight gave an update on the Maine Street Station Oversight Committee.

**(c) Update on the Vernal Pool Survey**

Manager Brown reported on this item.

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

**(d) Report on Planning Board's Progress on Gateway Overlay Zoning**

Manager Brown reported on this item.

*(A copy of the Director of Planning and Development's memo will be attached to the official minutes.)*

**(e) Report from the Androscoggin Brunswick-Topsham Riverwalk Advisory Committee**

**Nancy Randolph**, Committee member, spoke on this item.

*(A copy of a brochure from this Committee will be attached to the official minutes.)*

**(f) Report on Dog Warrant process**

Fran Smith, Town Clerk, spoke on this item.

**(g) (ADDED) Report on Going Out of Business Sales**

Fran Smith, Town Clerk, spoke on this item.

**(h) (ADDED) Report on the Black Bridge being closed for repairs**

Manager Brown reported on this item.

**NEW BUSINESS:**

**21. The Town Council will consider appointments to the BEDC Board of Directors, and will take any appropriate action.**

Councilor Atwood spoke on this item and listed the names of the nominees.

Councilor Tucker also spoke on this item.

**Councilor Atwood moved, Councilor Tucker seconded, to approve the slate of nominees to the Board, as presented by the BEDC Board, for three year terms to expire July 2012. The motion carried with eight (8) yeas.**

*(A list of the nominees, along with the full board list, will be attached to the official minutes.)*

22. The Town Council will discuss a report from the Facilities Committee regarding locations for the People Plus/Teen Center, and for the Council Chamber/TV3 to be temporarily located at the old Times Record Building, and to execute a five-year lease with Bowdoin College for Building 3 at Maine Street Station to locate the Council Chamber/TV3 beginning September 2009, and will take any appropriate action.

Manager Brown spoke on this item.

Councilor Watson, Councilor Pols, Councilor Favreau, Councilor Klatt, and Councilor Atwood spoke on this item.

**Councilor Favreau moved, Councilor Watson seconded, to temporarily relocate the Council Chambers/Cable TV to the old Times Record building and spend up to \$10,000 to do so. The motion carried with eight (8) yeas.**

**Councilor Watson moved, Councilor Atwood seconded, to authorize the Town Manager to execute a five-year lease with Bowdoin College for sections of Building 3 at Maine Street Station to be used for the Council Chambers and Cable TV3, upon final review of the lease by the Council Chair. The motion carried with seven (7) yeas. Councilor Klatt was opposed.**

*(Copies of a memo from Manager Brown, along with a letter and other information from Bowdoin College, will be attached to the official minutes.)*

23. The Town Council will discuss the budget process and provide guidance on a tax rate, and will determine if any future action is needed.

Manager Brown spoke on this item.

The Council provided guidance on a tax increase percent as listed below:

Councilor Watson - 0%

Councilor Tucker - up to 4%

Councilor Klatt - 0%

Councilor Favreau - 3%

Chair Daughtry – preferred 0% or as close to flat as possible

Councilor Knight – no more than 2%

Councilor Pols – 3%

Councilor Atwood – preferred 0% but would go up to 2%

**Councilor Watson moved, Councilor Klatt seconded, to hold Council meetings in April on the 6<sup>th</sup> and 27<sup>th</sup>, with no meeting on the third Monday. The motion carried with eight (8) yeas.**

24. The Town Council will consider setting a public hearing for March 2, 2009, to consolidate voting districts for the Municipal Referendum Election in June, and will take any appropriate action.

Fran Smith spoke on this item.

Councilor Favreau, Councilor Atwood, and Councilor Tucker also spoke on this item.

**Councilor Klatt moved, Councilor Favreau seconded, to set a public hearing for March 2, 2009, to consider consolidating polling locations to one polling place, located at the Junior High School, for the Election to be held on June 9, 2009. The motion carried with eight (8) yeas.**

*(A memo from the Town Clerk outlining the savings and methods of informing the public of the consolidation, will be attached to the official minutes.)*

25. The Town Council will consider creating the Brunswick TV3 Educational Channel Committee, and will take any appropriate action.

Councilor Watson spoke on this item.

Councilor Favreau also spoke on this item

**Councilor Watson moved, Councilor Tucker seconded, to form the Brunswick TV3 Educational Channel Committee, adopt its charge, and request the citizen positions be advertised for possible appointment at the April 6, 2009 meeting. The motion carried with seven (7) yeas. Councilor Favreau was opposed.**

*(A copy of the committee's charge will be attached to the official minutes.)*

26. The Town Council will discuss exercising jurisdiction over the Planning Board's approval of a Special Permit requested by Bernard Coombs of Bernie's Repair Plus Outdoor Power Equipment to relocate and expand his existing non-permitted business expansion in the MU-5 Zone, Aquifer Protection Zone 2, and Natural Resource Protection Zone, and will take any appropriate action.

Councilor Klatt spoke on this item.

*(Copies of a memo from Councilor Klatt and information from the Planning Department will be attached to the official minutes.)*

**Councilor Klatt moved, Councilor Pols seconded, to exercise jurisdiction over the application for a Special Permit for BRP Outdoor Power Equipment requested by Bernard Coombs, and after notice and hearing to be held on March 2, 2009, to ratify, modify, or reverse the decision by the Planning Board.**

Councilor Pols, Chair Daughtry, Councilor Klatt, and Councilor Favreau spoke on this item.

**Councilor Favreau moved, Councilor Knight seconded, to move the question. The motion carried with eight (8) yeas.**

**VOTE ON ORIGINAL MOTION**

**Councilor Klatt moved, Councilor Pols seconded, to exercise jurisdiction over the application for a Special Permit for BRP Outdoor Power Equipment, as requested by Bernard Coombs, and after notice and hearing to be held on March 2, 2009, to ratify, modify, or reverse the decision by the Planning Board. The motion failed with one (1) yeas. Councilor Watson, Councilor Tucker, Chair Daughtry, Councilor Favreau, Councilor Knight, Councilor Pols, and Councilor Atwood were opposed.**

27. The Town Council will consider an appointment to the Village Review Board, and will take any appropriate action.

Laurie Leader was appointed to the Village Review Board with a unanimous vote.

Executive Session: Union Negotiations Per 1 M.R.S.A. § 405(6)(D)

**Councilor Watson moved, Councilor Pols seconded, to go into Executive Session per 1 M.R.S.A. §405(6)(D) to discuss union negotiations. The motion carried with eight (8) yeas.**

28. The Town Council will consider approving a contract with AFSCME Local 2011, Council #93/Municipal Employees, and will take any appropriate action.

Manager Brown spoke on this item.

**Councilor Tucker moved, Councilor Favreau seconded, to accept the 2008-2010 Union Contract with the AFSCME Local 2011, Council #93/Municipal Employees. The motion carried with seven (7) yeas. Councilor Klatt was opposed.**

*(A copy of the approved Union Contract and Town Manager's memo will be attached to the official minutes.)*

**CONSENT AGENDA:**

- (a) Minutes of February 2, 2009
- (b) Municipal Quitclaim Deed

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**Councilor Watson moved, Councilor Tucker seconded, to approve the Consent Agenda. The motion carried with eight (8) yeas.**

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

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

The meeting adjourned at 9:40 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.**

*Frances M. Smith  
Town Clerk  
February 18, 2009*

March 9, 2009  
*Date of Approval*

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*Council Chair*