

-Approved-
BRUNSWICK TOWN COUNCIL
MINUTES
March 1, 2010
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; John Eldridge, Finance Director; Dave Markovchick, Director of Economic Development; John Foster, Public Works Director; Dan Devereaux, Marine Resources Officer; Tom Farrell, Director of Parks and Recreation; Jeff Hutchinson, Codes Officer; Kris Hultgren, Town Planner; Terry Goan, Police Officer; and TV video crew.

Councilor Atwood moved, Councilor Favreau seconded, to go into executive session to discuss Acquisition of Real Property Per 1 M.R.S.A. §405(6)(C). The motion carried with eight (8) yeas. Councilor Pols arrived after the vote.

Meeting Resumed at 7:00 p.m.

Chair King called for the Pledge of Allegiance.

Public Comment:

Pem Schaeffer, Crestview Lane, spoke about Oxford Aviation and said the local newspaper wrote an unfair editorial on this subject. He spoke in support on Councilor Knight and Councilor Tucker for speaking up on this issue.

Ed Freeman, Chairman of Friends of Merrymeeting Bay, requested an updated letter of support of the Androscoggin River be sent.

(A copy of materials from Mr. Freeman will be attached to the official minutes.)

Without objection from the Council, Chair King said an updated letter will be sent.

Correspondence:

Councilor Atwood gave a reminder about the need for licenses to keep chickens.

Adjustments to the Agenda: None

MANAGER'S REPORT:

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(a) Council Committee Updates

Reports were given on the following committees: Recycling and Sustainability Committee, Downtown Master Plan, and Brunswick Teen Center Board.

(b) Update on recent Association of Defense Communities Conference

Manager Brown spoke on this item.

(c) MDOT Project Updates

Manager Brown spoke on this item.

PUBLIC HEARINGS:

- 25. The Town Council will hear public comments on the following Alcohol Beverage License, and will take any appropriate action.**

Full-Time Spirituous, Vinous & Malt

Amanda Bernier

D/B/A: The Monkey Bar

103 Pleasant Street

Amanda Bernier

Chair King opened the public hearing.

Amanda Bernier, owner, spoke on this item.

Chair King closed the public hearing.

Councilor Perreault asked questions, to which Ms. Bernier responded.

Councilor Wilson moved, Councilor Perreault seconded, to approve an Alcoholic Beverage License for The Monkey Bar located at 103 Pleasant St. The motion carried with nine (9) yeas.

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

Special Amusement

Columbus Club, Inc.

D/B/A: Knights of Columbus, Sekenger Council #1947

2 Columbus Drive

Mr. Douglas Phinney, G.K.

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

Councilor Favreau moved, Councilor Pols seconded, to approve the Special Amusement License for Columbus Club, Inc. d/b/a Knights of Columbus, Sekenger Council #1947. The motion carried with nine (9) yeas.

27. **The Town Council will hear public comments on proposed changes to Chapter 14 relative to adding Pinette's Landing to the list of Town parks, and will take any appropriate action.**

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

Councilor Favreau thanked the Pinette Family for their donation of this property.

Councilor Knight moved, Councilor Favreau seconded, to adopt an amendment to Chapter 14 relative to adding Pinette's Landing to the list of Town parks. The motion carried with nine (9) yeas.

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

28. **The Town Council will take public comments on ordinance amendments under Chapter 11 (Marine Activities, Structures and Ways) relative to "marking" ice holes resulting from shellfish harvesting activities, and will take any appropriate action.**

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

Councilor Wilson thanked the Council for doing this as an emergency ordinance.

Councilor Watson moved, Councilor Tucker seconded, to adopt ordinance amendments under Chapter 11 (Marine Activities, Structures and Ways) relative to "marking" ice holes resulting from shellfish harvesting activities. The motion carried with nine (9) yeas.

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

29. **The Town Council will take public comments on a proposed Street Acceptance Ordinance, and will take any appropriate action.**

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

Chair King spoke on this item.

Councilor Favreau spoke on this item.

Councilor Perreault spoke on this item. He asked if it was okay if he votes on this item since he has a road under construction to be considered. Chair King felt it was not a conflict since his road is grandfathered from this ordinance.

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Councilor Tucker asked for an overview, which John Foster gave.

Councilor Wilson asked a question, to which Mr. Foster responded.

Councilor Watson moved, Councilor Perreault seconded, to adopt a Street Acceptance Ordinance. The motion carried with nine (9) yeas.

(A copy of the Street Acceptance Ordinance will be attached to the official minutes.)

30. The Town Council will take public comments on the proposed Brunswick Downtown Municipal Development and Tax Increment Financing District and will take any appropriate action.

Chair King introduced this item and opened the public hearing.

The following people spoke on this item.

Fred Blanchard, Harpswell Road

Mike Laskey, Bunganuc Road

Peter Anastos, owner of Fairfield Inn

Steve Weems, 44 Thomas Street

Linwood Austin, Comfort Inn

Bob Morrison, Bouchard Drive

Wes Beal, owner of Parkwood Inn

Karen Klatt, 32 Moody Road

John Moncure, attorney for JHR

Ed Peay, 12 Blueberry Lane

Art Boulay, Federal Street

Sande Updegraph, Durham Road

Marji Greenhut, 10 Noble Street

Claudia Knox, Cumberland Street

Paul Harrison, owner of Little Dog Coffee Shop

Chair King closed the public hearing.

John Eldridge, Finance Director, and Dave Markovchick, Director of Economic Development, spoke on this item and responded to Council questions.

All nine Councilors spoke or asked questions relative to this item.

Jim Saffian, attorney for the TIF, and Manager Brown also responded to Council questions.

As a requirement of the TIF process more detailed summaries of comments were prepared and, along with prepared written statements, will be attached to the official minutes.

Councilor Knight moved, Councilor Favreau seconded, to adopt a Town Council Resolution Designating Town of Brunswick Downtown Municipal Development and Tax Increment Financing District and Adopting Related Development Program. The motion carried with seven (7) yeas. Councilor Pols and Councilor Atwood were opposed.

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

31. The Town Council will hear public comments on amendments to the Code of Ordinances, Chapter 5, Buildings and Building Regulations, relative to increasing permitting fees, and will take any appropriate action.

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

Councilor Watson moved, Councilor Tucker seconded, to table this item until March 15, 2010, due to the late hour tonight. The motion carried with seven (7) yeas. Councilor Perreault and Councilor Pols were opposed.

TABLED ITEMS

11. The Town Council will consider action regarding open space property at the Great Scott Estates Subdivision, and will take any appropriate action.

Manager Brown spoke on this item.

Councilor Perreault asked for clarifications, which Chair King gave.

Councilor Watson moved, Councilor Tucker seconded, to have the Council accept ownership of the property, with the Town continuing to work with the Land Trust with a possibility of conveyance of the property to the Land Trust in the future. The motion carried with nine (9) yeas.

(Copies of memos from the Natural Resource Planner and a deed will be attached to the official minutes.)

16. The Town Council will take public comments for the Brunswick Downtown Development/TIF District, and will take any appropriate action.

Councilor Favreau moved, Councilor Knight seconded, to postpone Item 16 indefinitely. The motion carried with nine (9) yeas.

NEW BUSINESS ITEMS:

32. The Town Council will consider taking public comments on the proposed Development Review Fees Schedule and changes to the Minor Modifications Policy, and will take any appropriate action.

Councilor Pols moved, Councilor Knight seconded, to table this item until March 15, 2010, due to the late hour tonight. The motion carried with nine (9) yeas.

33. The Town Council will consider the following requests for Sellers of Prepared Food on Public Ways on the Brunswick Mall, and will take any appropriate action.

Wrappers
Lola's Taqueria
Danny's Dogs
Uncle Ken's
Farmer's Market

Councilor Favreau moved, Councilor Knight seconded, to approve licenses for Sellers of Prepared Food on Public Ways for the Brunswick Mall for the Farmer's Market, Danny's Dogs, Uncle Ken's, Lola's Taqueria, and Wrappers. The motion carried with nine (9) yeas.

34. The Town Council will consider a request for Sellers of Prepared Food on Public Ways for outdoor seating, and will take any appropriate action.

Wheelhouse Cafe, 206 Maine Street

Councilor Knight moved, Councilor Favreau seconded, to approve a license for Sellers of Prepared Food on Public Ways on a Sidewalk for Wheelhouse Café, 206 Maine Street. The motion carried with nine (9) yeas.

CONSENT AGENDA

- (a) Approval of the Minutes of February 8, 2010
- (b) Approval of the Minutes of February 11, 2010

Councilor Pols moved, Councilor Atwood 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 at 10:55 p.m.

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

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Frances M. Smith
Town Clerk
March 8, 2010

March 15, 2010
Date of Approval

Council Chair