

-Approved-
BRUNSWICK TOWN COUNCIL
Minutes
March 15, 2010
7:00 p.m.

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; Richard Rizzo, Police Chief; John Foster, Public Works Director; Anna Breinich, Director of Planning and Development; Don Koslosky, Deputy Fire Chief; Kevin Schofield, Police Commander; Tom Farrell, Director of Parks and Recreation; Jeff Hutchinson, Codes Officer; Kris Hultgren, Town Planner; Mark Waltz, Police Lieutenant; and TV video crew.

Chair King called for the Pledge of Allegiance and asked the Clerk for Roll Call.

Public Comment:

Mike Laskey, Bungunuc Road, spoke on the TIF credit enhancement granted at the last meeting and his concern with JHR's TIF in Salem, Massachusetts.

Connie Lundquist, 11 Longfellow Avenue, spoke on the TIF and her concern with having public hearings on the same night as the vote.

Correspondence: None

Adjustments to the Agenda:

To add to the Consent Agenda a tax abatement from the Assessor

MANAGER'S REPORT:

(a) Financial Update

Manager Brown gave this update.

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

(b) Council Committee Updates

Reports were given on the following: Downtown Master Plan Committee, Region 1 Junior Olympics, and Brunswick Teen Center Board.

Town Council Minutes

March 15, 2010

Page 2

(c) Report on BNAS from Captain Fitzgerald

Captain Fitzgerald updated the Council and public on activities occurring at BNAS.

Chair King and Councilor Favreau asked questions, to which Captain Fitzgerald responded.

(d) Confirmation of Fire Chief (Action Required)

Donald Koslosky, Deputy Chief, introduced Kenneth Brilliant to the Council.

Mr. Brilliant said he was excited about coming back to Brunswick.

Councilor Watson moved, Councilor Tucker seconded, to confirm Kenneth Brilliant as the Fire Chief for the Brunswick Fire Department. The motion carried with nine (9) yeas.

(e) Update on MDOT meeting on Maine Street/Bath Road project

Manager Brown gave the update on this item. He responded to a question from Councilor Pols.

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

Councilor Knight asked a question, to which Ms. Breinich responded.

(f) Reminder on upcoming U.S. Census Questionnaires

Manager Brown spoke on this item.

(g) Approval of night work on the Bath Road Improvement Project and the Route 1/Mill Street resurfacing (Action Required)

John Foster, Public Works Director, spoke on this item.

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

Councilor Favreau moved, Councilor Watson seconded, to approve night work on the Bath Road Improvement Project and Mill Street/Route 1, as outlined. The motion carried with nine (9) yeas.

(A copy of a memo from Mr. Foster and an email will be attached to the official minutes.)

(h) Announcement regarding redevelopment of the Grand City property

Manager Brown spoke on this item announcing some of the new tenants, Artforms and Cool as a Moose.

Chair King thanked Mr. Markovchick for his hard work on this.

TABLED ITEMS:

- 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.**

Manager Brown spoke on this item.

Councilor Perreault asked to abstain from this since he is a contractor and would have a direct financial interest as a result of these changes.

Councilor Pols moved, Councilor Wilson seconded, to adopt amendments to the Code of Ordinances, Chapter 5, Buildings and Building Regulations, relative to increasing permitting fees. The motion carried with eight (8) yeas. Councilor Perreault abstained.

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

- 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.**

Manager Brown spoke on this item.

Councilor Perreault asked to abstain from this since he is a contractor and would have a direct financial interest as a result of these changes.

Chair King, Councilor Pols, Councilor Wilson, Councilor Watson, and Chair King asked questions, to which Kris Hultgren, Planner, and/or Manager Brown responded.

Councilor Pols and Councilor Favreau spoke on this item.

Councilor Pols moved, Councilor Atwood seconded, to adopt the proposed Development Review Fees Schedule and changes to the Minor Modifications Policy. The motion carried with eight (8) yeas. Councilor Perreault abstained.

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

NEW BUSINESS ITEMS:

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

The Gelato Fiasco, Inc.
74 Maine Street

Councilor Knight moved, Councilor Tucker seconded, to approve a license for Sellers of Prepared Food on Public Ways on a Sidewalk for The Gelato Fiasco, Inc., 74 Maine Street. The motion carried with nine (9) yeas.

- 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.

Councilor Knight spoke on this item.

Mr. Foster spoke on this item and the operation of the traffic light. He responded to questions from Councilor Wilson.

Councilor Pols spoke on this item and asked a question, to which Mr. Foster responded.

Councilor Favreau spoke on this item.

Councilor Watson and Councilor Knight asked questions, to which Mr. Foster responded.

Chair King asked a question, to which Commander Schofield responded.

Councilor Perreault spoke on this item.

Kevin Mahaffey, 101 Union Street, expressed concerns and asked questions. He supported a pedestrian light there.

Marybeth Burbank, 11 Cumberland Street, spoke on this item and expressed concerns about the location of this light.

Sarah Brayman, McKeen Street, said it is a residential area and a light is not needed there.

Connie Lundquist, 11 Longfellow Avenue, questioned whether there was a need for a light here.

Helen Small, 103 Union Street, spoke in support of the traffic signal.

Manager Brown spoke on this item.

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

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

Councilor Tucker moved, Councilor Watson seconded, to table to a future date when an MDOT official can attend to answer questions. The motion carried with eight (8) yeas. Councilor Favreau was opposed.

- 37. The Town Council will discuss the Municipal Budget for 2010-2011, and will determine if any future action is necessary.**

Manager Brown spoke on this item.

The Council discussed the tax rate. Councilor Perreault, Councilor Wilson, and Councilor Watson supported a zero percent increase. Others wanted to see budget scenarios that reflected different increases ranging from zero to a six percent increase in the tax rate.

Connie Lundquist spoke on cutting salaries and benefits to prevent job loss.

- 38. The Town Council will discuss changing the Council Rules of Order to have Public Comment after new Business Items, and will determine if any future action is necessary.**

Councilor Perreault left the meeting.

Councilor Favreau, Councilor Wilson, and Councilor Atwood spoke on this item in support of public comments at the end of the meeting.

Councilor Tucker, Councilor Knight, Councilor Pols and Councilor Watson were opposed to changing the current time.

Chair King was not sure, but wanted it to come back so Councilor Perreault could weigh-in on the issue.

Connie Lundquist and **Marybeth Burbank** spoke in support of keeping the public comment at the front of the meeting.

Councilor Favreau moved, Councilor Watson seconded, to bring back this item at the next meeting for Council consideration. The motion carried with seven (7) yeas. Councilor Tucker was opposed.

Town Council Minutes

March 15, 2010

Page 6

- 39. The Town Council will consider authorizing the Town Manager to negotiate an agreement with the Town of Freeport relative to providing Emergency Communications services to Freeport, and will take any appropriate action.**

Manager Brown spoke on this item.

Chair King spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to authorize the Town Manager to negotiate an agreement with the Town of Freeport relative to Brunswick's Communications Center providing Freeport with Emergency Communications services. The motion carried with eight (8) yeas.

CONSENT AGENDA

- (a) Approval of the Minutes of March 1, 2010**
- (b) Utility Location Permits on Farley Road for Brunswick Sewer District and Brunswick/Topsham Water District**
- (c) Quit Claim Deed for Map U20 Lot 032 Sub 000, Typ 000**
- (d) Quit Claim Deed for Map 051, Lot 001, Sub 000, Typ 058**
- (e) Quit Claim Deed for Map U23, Lot 093, Sub 000, Typ 000**
- (f) (ADDED) Abatement of 2008 taxes assessed in error**

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

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

Councilor Favreau moved, Councilor Knight 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 Watson moved, Councilor Favreau seconded, to adjourn the meeting.

The meeting adjourned.

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

Frances M. Smith
Town Clerk
March 17, 2010

April 5, 2010
Date of Approval

Council Chair