

Approved
BRUNSWICK TOWN COUNCIL
Minutes
October 3, 2011
Executive Session - 6:00 P.M.
Regular Meeting - 7:00 P.M.
Municipal Meeting Room
Brunswick 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, and E. Benet Pols

Councilors Absent: Deborah R. Atwood

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to Town Manager; Richard Rizzo, Police Chief; Ken Brilliant, Fire Chief; Marc Hagan, Deputy Police Chief; Anna Breinich, Director of Planning and Development; Kris Hultgren, Town Planner; Brian Dancause, Economic Development Specialist; Don Koslosky, Deputy Fire Chief; Jeff Hutchinson, Codes Enforcement Officer; Heidi Nelson, Animal Control Officer; John Foster, Public Works Director; and TV video crew.

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

Executive session – Property Acquisition and Disposition per 1 M.R.S.A. §405(6)(C) and a Personnel Matter to discuss the Town Manager’s evaluation per 1 M.R.S.A. §405(6)(A)

Councilor Tucker moved, Councilor Watson seconded, to go into executive session to discuss Property Acquisition and Disposition per 1 M.R.S.A. §405(6)(C) and a Personnel Matter for the Town Manager’s evaluation per 1 M.R.S.A. §405(6)(A). The motion carried with eight (8) yeas.

Meeting resumes at 7:00 p.m.

Chair King resumed the meeting and asked for the Pledge of Allegiance.

Public Comment: None

Correspondence:

Councilor Tucker asked the Council if they were interested in exploring an ordinance to prohibit the use and sale of fireworks in Brunswick. The Council supported it.

Councilor Perreault spoke on the Oak Street fire and how residents thought the damaged building has hurt their ability to sell their properties.

Adjustments to the Agenda: None

MANAGER'S REPORT:

(a) Council Committee Updates

No reports were given.

(b) Presentation of flag to Town by American Legion

Joe Donahue and William Ciciotte, American Legion, presented the Town with a Blue Star Flag and read a resolution. They also presented a certificate of appreciation to Councilor Wilson, Chief Brilliant and Manager Brown for their assistance at the September 11th anniversary ceremony.

(c) Permission to apply for an Emergency Management Planning Grant (*Action Required*)

Manager Brown spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to allow the Fire Department to apply for an Emergency Management Planning Grant in the amount of \$15,000. The motion carried with eight (8) yeas.

(A copy of Chief Brilliant's memo will be attached to the official minutes.)

(d) Acceptance of MMA Risk Management Services Scholarship Grant (*Action Required*)

Manager Brown spoke on this item.

Councilor Favreau moved, Councilor Knight seconded, to accept and expend an MMA Safety Scholarship Grant in an amount of \$2,000.00 to assist in the cost of a Rapid Intervention Class. The motion carried with eight (8) yeas.

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

(e) Mill Street Construction Update

Manager Brown spoke on this item and responded to questions from Councilor Knight.

PUBLIC HEARINGS

107. The Town Council will hear public comments on the following Alcoholic Beverage License applications, and will take any appropriate action. (Manager)

AKI, Inc
D/B/A: AKI, Inc
94 Maine Street

Laura Cigri, Bihong Liu
Valami Ly, Tina Cigri

Apple New England LLC
D/B/A: Applebee's Neighborhood Grill & Bar
11 Gurnet Road

Apple New England LLC

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

Tina Cigri, owner, spoke on this item.

Councilor Watson moved, Councilor Knight seconded, to approve Alcoholic Beverage License applications for AKI, Inc, 94 Maine Street, and Applebee's Neighborhood Grill & Bar, 11 Gurnet Road. The motion carried with eight (8) yeas.

108. The Town Council will hear public comments on the following Special Amusement License application, and will take any appropriate action. (Manager)

Frontier Group
D/B/A: Frontier
14 Maine Street

Michael Gilroy

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

Councilor Favreau moved, Councilor Knight seconded, to approve a Special Amusement License application for Frontier, 14 Maine Street. The motion carried with eight (8) yeas.

109. The Town Council will hear public comments on amendments to the Zoning Ordinance relative to creating a CU7 zoning district on the Longfellow School property, and will take any appropriate action. (Manager)

Manager Brown spoke on this item.

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

Councilor Watson and Councilor Perreault asked a question to which Manager Brown responded.

Councilor Pols and Chair King spoke on this item.

Councilor Pols moved, Councilor Tucker seconded, to adopt amendments to the Zoning Ordinance relative to creating a CU7 zoning district on the Longfellow School property. The motion carried with eight (8) yeas.

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

NEW BUSINESS

- 110. The Town Council will consider setting a public hearing for October 17, 2011, on Chapter 4 “Animals” ordinance amendments to allow domestic farm animals in the growth area, and will take any appropriate action. (Councilor Favreau)**

Councilor Favreau spoke on this item.

Councilor Knight asked a question to which Anna Breinich responded.

Councilor Pols spoke on this item.

Councilor Perreault moved, Councilor Watson seconded, to set a public hearing for October 17, 2011, on ordinance amendments to allow domestic farm animals in the growth area. The motion carried with eight (8) yeas.

- 111. The Town Council will consider authorizing the Town Manager to enter into an agreement with the firm of Donham & Sweeney for initial design services for a new police station to be located at the corners of Pleasant and Stanwood Street, and to authorize funding for the initial design services, and will take any appropriate action. (Chair King)**

Chair King spoke on this item.

Manager Brown spoke on this item.

Councilor Perreault asked questions, to which Manager Brown responded.

Councilor Tucker moved, Councilor Watson seconded, to authorize the Town Manager to enter into an agreement with the firm of Donham & Sweeney for initial design services for a new police station to be located at the corner of Pleasant and Stanwood Street, and to adopt “A Resolution Authorizing an Emergency Appropriation and Expenditure of up to \$75,000 from Available Unassigned General Fund Revenues to Fund Costs Relating to Planning and Designing a New Police Station.” The motion carried with eight (8) yeas.

(A copy of a memo from Manager Brown outlining the agreement, the proposal, and the resolution to authorize the expenditure will be attached to the official minutes.)

- 112. The Town Council will consider requesting the Planning Board to review the Zoning ordinance to eliminate dimensional restriction for municipal projects in the TR-1 District, and will take any appropriate action. (Manager)**

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Manager Brown spoke on this item.

Councilor Pols and Councilor Tucker asked questions, to which Ms. Breinich responded.

Councilor Wilson spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to request that the Planning Board review the Zoning ordinance to eliminate the dimensional restriction for municipal projects in all zoning districts and to make a recommendation to the Council on zoning amendments. The motion carried with eight (8) yeas.

(A copy of a memo from Manager Brown will be attached to the official minutes.)

- 113. The Town Council will consider authorizing the Town Manager to execute a purchase and sales agreement with Bowdoin College to exchange the Longfellow School and the McLellan Building, and will take any appropriate action. (Manager)**

Manager Brown spoke on this item and responded to questions from Councilor Watson, Councilor Perreault, and Councilor Pols.

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

Councilor Favreau moved, Councilor Knight seconded, to authorize the Town Manager to execute a purchase and sale agreement between the Town of Brunswick and Bowdoin College subject to the terms generally described in the document presented to Council titled *Town of Brunswick-Bowdoin College Longfellow School McLellan Building Exchange Agreement*, and subject to such revisions as are approved by the Town Manager and the Town Attorney that do not materially alter the terms of such exchange agreement. The Manager is further authorized to act on behalf of the Town of Brunswick to negotiate, execute and deliver documents necessary or desirable for the closing of this transaction. The motion carried with seven (7) yeas. Councilor Pols was opposed.

- 114. The Town Council will consider setting a public hearing for October 17, 2011, on amendments to Chapter 14 of the Codes of Ordinances regarding street acceptance and standards ordinance, adding two more previously approved projects to those exempt from the standards, and will take any appropriate action. (Manager)**

Manager Brown spoke on this item.

Councilor Perreault said his development was included in the ordinance, but the proposed changes did not affect his project so he felt there was no conflict of interest, to which Chair King agreed.

Councilor Tucker moved, Councilor Watson seconded, to set a public hearing for October 17, 2011, on amendments to Chapter 14 of the Codes of Ordinances regarding the street acceptance and standards ordinance, adding two more previously approved projects to those exempt from the standards. The motion carried with eight (8) yeas.

115. The Town Council will consider setting a public hearing for October 17, 2011, to close out a CDBG award in the amount of \$40,000 for a Public Service Grant for Coastal Counties Workforce, Inc, and will take any appropriate action. (Manager)

Manager Brown responded to a question from Councilor Favreau.

Councilor Tucker moved, Councilor Perreault seconded, to set a public hearing for October 17, 2011, to close out a CDBG award in the amount of \$40,000 for a Public Service Grant for Coastal Counties Workforce, Inc. The motion carried with eight (8) yeas.

116. The Town Council will consider setting a public hearing for October 17, 2011, to close out a CDBG award in the amount of \$200,000 for an Economic Development Program award for Maine Tool & Machine, and will take any appropriate action. (Manager)

Manager Brown spoke on this item.

Councilor Tucker moved, Councilor Watson seconded, to set a public hearing for October 17, 2011, to close out a CDBG award in the amount of \$200,000 for an Economic Development Program award for Maine Tool & Machine. The motion carried with eight (8) yeas.

117. The Town Council will consider setting a public hearing for October 17, 2011, on Zoning Amendments to expand the Telecommunications 2 Overlay Zone, and will take any appropriate action. (Manager)

Manager Brown spoke on this item

Councilor Favreau and Councilor Pols spoke on this item.

Andy Cashman, attorney representing First Wave, spoke on this item.

Councilor Perreault asked a question, to which Mr. Cashman responded.

Councilor Favreau moved, Councilor Wilson seconded, to set a public hearing for October 17, 2011, on Zoning amendments to expand the Telecommunications 2 Overlay Zone. The motion carried with eight (8) yeas.

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118. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Manager)

Councilor Perreault made the following nominations:

Rita Worthing to serve on the Police Station Building Subcommittee

James Mason to serve on the Zoning Board of Appeals as an Associate member for a balance of a three year term.

Mary Anne Lawler to serve on the Water District Board of Trustees

Kristi Hatrick to serve on the Recreation Commission

The Council voted eight (8) yeas to appoint those nominated.

Councilor Perreault made the following nominations to the Downtown & Outer Pleasant Street Plan Implementation Committee:

Paul Dostie to serve as the downtown resident representative

Katherine Wilson to serve as the Pleasant Street resident representative

Toby Tarpinian to serve as the downtown business owner representative

Stephanie Slocum to serve as the BDA representative

Elizabeth Doucette to serve as the Creative Economy/Non profit representative

The Council voted eight (8) yeas to appoint those nominated.

Councilor Perreault made the following nominations to the Downtown & Outer Pleasant Street Plan Implementation Committee for the Citizen at Large openings:

Jacqueline Ellis

Newell Augur

Councilor Knight made the following nomination to the Downtown & Outer Pleasant Street Plan Implementation Committee for the Citizen at Large openings:

Emily Swan

The Council voted in order of nominations. Ms. Ellis received eight votes and Mr. Augur received five votes, from Councilor Watson, Councilor Wilson, Councilor Perreault, Chair King, and Councilor Favreau. Ms. Ellis and Mr. Augur were appointed to the committee.

CONSENT AGENDA

(a) Approval of minutes of September 19, 2011

(b) Appointment of Wardens and Deputy Wardens for the Election on November 8, 2011

(c) Approval of the Election Warrant for November 8, 2011

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

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

The meeting adjourned at 8:30 p.m.

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

Frances M. Smith

Town Clerk

October 11, 2011

October 17, 2011

Date of Approval

Council Chair