

**Approved**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**July 11, 2011**  
**Executive Session: 6:45 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, 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; John Eldridge, Finance Director; Ken Brilliant, Fire Chief; Richard Rizzo, Police Chief; John Foster, Public Works Director; Marc Hagan, Deputy Police Chief; Jeff Emerson, Deputy Fire Chief; Don Koslosky, Deputy Fire Chief; Mark Waltz, Police Captain; Lynne Doucette, Police Lieutenant; Joel Bruce, Police Sergeant; and TV video crew.

Chair King called the meeting of July 11, 2011, to order and asked the Clerk for Roll Call.

**Executive Session –Labor Negotiations per 1 M.R.S.A. §405(6)(D)**

**Councilor Watson moved, Councilor Perreault seconded, to go into executive session to discuss Labor Negotiations per 1 M.R.S.A. §405(6)(D). The motion carried with eight (8) yeas. Councilor Tucker arrived after the vote.**

**Meeting Resumed at 7:00 p.m.**

Chair King resumed the meeting at 7:00 pm and asked for the Pledge of Allegiance.

**Public Comment:**

**Chris Ledwick**, 4 High Street, and **Kevin Twine**, 21 Oak Street, expressed concerns about the fire damaged building on Oak Street.

**Fred Horch**, Pleasant Street, asked about having a proactive code to prevent these fires.

Manager Brown responded to questions from citizens and Councilors relative to the status of the building and developing a protection program.

**Correspondence:** None

**Adjustments to the Agenda:** None

**MANAGER'S REPORT:**

**(a) Council Committee Updates**

A report was given on the Elementary School Building Committee and the grass at the new school.

**(b) Nomination Papers Availability**

Fran Smith, Town Clerk, gave this update.

**(c) Introduction of promoted Police personnel**

Chief Rizzo introduced the promoted personnel.

**(d) (Added) Meeting on train facility**

Manager Brown spoke on this item.

**(e) (Added) Update on Pleasant Street construction project**

Manager Brown spoke on this item.

**(f) (Added) Federal Byrne Grant for Police Department**

Captain Mark Waltz spoke on this grant.

**(g) (Added) Report on upcoming changes to Comcast service**

Manager Brown spoke on this item.

**PUBLIC HEARINGS**

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

**Special Amusement**

**American Restaurant Association, LLC  
D/B/A: O'Shea's Irish Restaurant & Cantina  
94 Maine Street**

**Ryan Foley**

**Maine & Noble, LLC  
D/B/A: Inn at Brunswick  
4 Noble Street**

**J. Hilary Rockett, Jr.**

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Chair King opened the public hearing on O'Shea's.

**John Barnicle** and **Ryan Foley** spoke on behalf of O'Shea's regarding the license and what they want to do.

**George Glover**, 65 Willow Grove Road, spoke on his concerns with this license.

**The following persons spoke in support of the license:**

**Davielle Rodgers**, 15 Page Street

**George Pickering**, 25 Bridge Street, Topsham

**Cuong Ly**, owner of Little Tokyo and China Rose

**Joe Russo**, 61 Lisbon Falls Road

**David Hanson**, Topsham resident

Chair King closed the public hearing.

Councilor Atwood, Councilor Tucker, Councilor Pols, Councilor Perreault, Councilor Knight, Councilor Favreau, Councilor Watson, and Chair King either asked questions or spoke on this item.

**Councilor Atwood moved, Councilor Favreau seconded, to approve a special amusement license for O'Shea's for a period of three months, subject to the first 11 conditions, excluding #5, contained in the attached letter dated June 27 2011, from Bernstein Shur, and previously agreed to by O'Shea's.**

**Councilor Atwood and Councilor Favreau agreed to amend their motion to include waiving the fee for O'Shea's when they come back in 3 months.**

**Councilor Atwood and Councilor Favreau amended the motion to include that music on the first floor must be in the back of the restaurant.**

**Councilor Atwood moved, Councilor Favreau seconded, to approve a special amusement license for O'Shea's for a period of three months, subject to the first 11 conditions, excluding #5, contained in the attached letter dated June 27 2011, from Bernstein Shur, and previously agreed to by O'Shea's, and, in addition, to allow music on the first floor in the back of the restaurant only and to waive the fee for the application in three months. The motion carried with nine (9) yeas.**

Chair King opened the public hearing on the Inn at Brunswick.

**Marji Greenhut**, 10 Noble Street, and **Jill Standish**, 12 Oakwood Road, spoke on concerns with this license.

**Brandon Hussey**, from the Inn at Brunswick, spoke on this license and answered questions.

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Chair King closed the public hearing.

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

**Councilor Favreau moved, Councilor Pols seconded, to approve a special amusement license for the Inn at Brunswick, located at 4 Noble Street. The motion carried with eight (8) yeas. Councilor Atwood was opposed.**

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

**Full-Time Spirituous, Vinous & Malt**

**China Bowl  
D/B/A: Asian Garden  
168 Maine Street**

**Charlie Chen**

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

**Councilor Atwood moved, Councilor Watson seconded, to approve the Alcohol License for Asian Garden, located at 168 Maine Street. The motion carried with nine (9) yeas.**

- 82. The Town Council will hear public comments on the proposed Capital Improvement Program for 2012-2016, and will take any appropriate action.**

Chair King opened the public hearing.

**Jane Millett**, 10 Franklin Street, spoke on this item.

Manager Brown spoke on this item.

The Council asked questions, which were answered by staff, and they also had a discussion. Chair King, Councilor Wilson, Councilor Perreault Councilor Pols, Councilor Watson Councilor Tucker and Councilor Knight spoke on this item.

**Councilor Atwood moved, Councilor Watson seconded, to approve 2011-2012 (Year 1) of the Capital Improvement Plan. The motion carried with seven (7) yeas. Councilor Wilson and Councilor Perreault were opposed.**

**NEW BUSINESS**

- 83. The Town Council will consider authorizing the Town Manager to negotiate a purchase agreement with Bowdoin College for the exchange of Longfellow School for the McLellan building, and will take any appropriate action.**

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Chair King and Councilor Knight spoke on this item and requested it be tabled until the next meeting.

**Jane Millett**, 10 Franklin Street, spoke on her concerns with this proposal.

Councilor Atwood, Councilor Perreault, Councilor Watson, and Councilor Favreau asked questions or spoke on this item.

**Councilor Favreau moved, Councilor Watson seconded, to table this item until the next meeting. The motion carried with nine (9) yeas.**

- 84. The Town Council will consider setting a public hearing for July 25, 2011, on “An Ordinance Authorizing the Acquisition of A New Fire Rescue Vehicle at a Cost Not to Exceed \$187,000 (Plus the Cost of Issuance), as well as the Issuance of Bonds or Notes; Capital Leases; or Advances in Order to Finance the Acquisition,” and will take any appropriate action.**

Manager Brown spoke on this item.

**Councilor Tucker moved, Councilor Perreault seconded, to set a public hearing for July 25, 2011, on “An Ordinance Authorizing the Acquisition of A New Fire Rescue Vehicle at a Cost Not to Exceed \$187,000 (Plus the Cost of Issuance), as well as the Issuance of Bonds or Notes; Capital Leases; or Advances in Order to Finance the Acquisition” with an amendment that the language reflect the first year of the CIP only. The motion carried with nine (9) yeas**

*(For the record, the ordinance that was advertised was slightly different than the above ordinance since the attorney made changes, but the amount of the expenditure remained the same. The title of the revised ordinance is “An Ordinance Authorizing the Funding and Acquisition of a New Fire Rescue Vehicle.”)*

- 85. The Town Council will consider adopting a “Resolution Authorizing an Emergency Appropriation and Expenditure of up to \$200,000 from Available Unassigned General Fund Revenues In Order to Fund a Master Plan for the Brunswick School Department,” and will take any appropriate action.**

Manager Brown spoke on this item.

**Councilor Watson moved, Councilor Tucker seconded, to adopt a “Resolution Authorizing an Emergency Appropriation and Expenditure of up to \$200,000 from Available Unassigned General Fund Revenues In Order to Fund a Master Plan for the Brunswick School Department” with an amendment that the language reflect the first year of the CIP only. The motion carried with nine (9) yeas.**

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

86. The Town Council will consider approving a Union Contract with the Brunswick Police Communications Officers Association for July 1, 2011 to June 30, 2013, and will take any appropriate action.

**Councilor Watson moved, Councilor Favreau seconded, to approve a Union Contract with the Brunswick Police Communications Officers Association for July 1, 2011, to June 30, 2013. The motion carried with nine (9) yeas.**

*(A copy of the union contract and memo summarizing the changes will be attached to the official minutes.)*

87. The Town Council will consider adopting “A Resolution Authorizing an Emergency Appropriation and Expenditure of up \$25,000 from Available Unassigned General Fund Revenues and the Acceptance and Expenditure of Grant Funds in Order to Replace a Culvert on Adams Road,” and will take any appropriate action.

Manager Brown and John Foster spoke and responded to questions on this item.

**Councilor Watson moved, Councilor Pols seconded, to adopt a “Resolution Authorizing an Emergency Appropriation and Expenditure of up \$25,000 from Available Unassigned General Fund Revenues and the Acceptance and Expenditure of Grant Funds in Order to Replace a Culvert on Adams Road” with an amendment that the language reflect the first year of the CIP only. The motion carried with nine (9) yeas.**

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

88. The Town Council will consider adopting a “Resolution Authorizing an Emergency Appropriation and Expenditure of up to \$100,000 from Available Unassigned General Fund Revenues to Fund Costs Relating to Hazardous Material Abatement as well as Costs Associated with Operating, Maintaining, and Securing the Longfellow Elementary School Property”, and will take any appropriate action.

Manager Brown spoke on this item.

Councilor Perreault, Councilor Watson, and Councilor Knight spoke on this item.

**Councilor Watson moved, Councilor Favreau seconded, to adopt a “Resolution Authorizing an Emergency Appropriation and Expenditure of up to \$100,000 from Available Unassigned General Fund Revenues to Fund Costs Relating to Hazardous Material Abatement as well as Costs Associated with Operating, Maintaining, and Securing the Longfellow Elementary School Property” with the amendments to have the language reflect the first year of the CIP only and to add the following paragraph “Prior to authorizing the disbursement of funds for any abatement, the Town Manager shall return to the Town Council for approval.” The motion a carried with nine (9) yeas.**

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

**CONSENT AGENDA**

- (a) Approval of the Minutes of June 20, 2011**
- (b) Approval of the Minutes of June 23, 2011**
- (c) Approval of the Minutes of June 30, 2011**

**Councilor Watson moved, Councilor Tucker 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 9:50 p.m.

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

*Frances M. Smith  
Town Clerk  
July 18, 2011*

July 25, 2011  
*Date of Approval*

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*Council Chair*