

**-Approved-**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**February 6, 2012**

**Councilors Present:** Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Margo H. Knight, Sarah E. Brayman, and E. Benet Pols

**Councilors Absent:** None

**Town Staff Present:** Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to Town Manager; Anna Breinich, Director of Planning and Development; Brian Dancause, Economic Development Specialist; Denise Clavette, Special Projects Assistant; Jeff Hutchinson, Codes Enforcement Officer; Russ Wrede, Police Sergeant; and TV video crew

Chair King called for the Pledge of Allegiance and asked the Town Clerk for roll call.

**Public Comment:**

**Jane Brox**, 21 Page Street, spoke about her concern with snowy and icy sidewalks on Page Street and the fact children had to walk in the street. She requested better cleaning and also asked for a crosswalk on Union Street near the McLellan building since the sidewalk ends there.

**Maryli Tiemann**, 6 Whittier Street, spoke about the upcoming Longfellow Days events.

**Dewitt Kimball**, 24 Oak Street, expressed concern that Councilors had not responded to his request to provide their opinions on some issues. He recommended informal meetings to respond to residents' questions.

**Correspondence:**

Chair King spoke about a recent visit to Thornton Oaks and the residents' concerns with pedestrian safety on Maine Street.

**Adjustments to the Agenda:** None

**MANAGER'S REPORT:**

**(a) Council Committee Updates**

Reports were given on the Master Plan Implementation Committee, Open Space Committee for Base properties, Web Page Subcommittee, and Police Station Building Committee.

**(b) Update on Town action at 77 Pleasant Street**

Manager Brown gave this report.

Councilor Perreault spoke about this issue.

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

Councilor Brayman, Chair King, Councilor Favreau and Councilor Tucker spoke regarding this item.

**Leon Thayer**, Mere Point Road, and **Linsey Ost**, 22 Riverview Drive, spoke regarding this item.

### **PUBLIC HEARINGS**

- 13. The Town Council will hear public comments on applications for special amusement licenses, and will take any appropriate action.**

**Bowdoin College**

**D/B/A: Bowdoin College Dining Service –**

**Magee’s Grill**

**David Saul Smith Union**

**Allen W. Delong**

**Brunswick Lodge of Elk’s #2043**

**D/B/A: Brunswick Lodge of Elks**

**179 Park Row**

**Ms. Angela Brackett**

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

**Councilor Knight moved, Councilor Favreau seconded, to approve applications for special amusement licenses for Bowdoin College and Brunswick Lodge of Elks #2043. The motion carried with nine (9) yeas.**

- 14. The Town Council will hold a public hearing on an amendment to the Marine Resource Ordinance to allow Sunday shellfish harvesting from October 16<sup>th</sup> to April 30<sup>th</sup> of each year, and will take any appropriate action. (Councilor Wilson)**

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

**Councilor Wilson moved, Councilor Perreault seconded, to adopt an amendment to the Marine Resource Ordinance to allow Sunday shellfish harvesting from October 16<sup>th</sup> to April 30<sup>th</sup> of each year. The motion carried with nine (9) yeas.**

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

15. **The Town Council will hold a public hearing on Zoning Ordinance amendments to increase the allowable number of MDOT official business directional signs, and will take any appropriate action. (Councilor Perreault)**

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

Councilor Tucker, Councilor Perreault, Councilor Knight, and Councilor Favreau spoke regarding this item.

**Councilor Perreault moved, Councilor Watson seconded, to adopt Zoning Ordinance amendments to increase the allowable number of MDOT official business directional signs from 2 to 4. The motion carried with eight (8) yeas. Councilor Tucker was opposed.**

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

16. **The Town Council will hear public comments for the purpose of designating a tax increment financing district at Brunswick Landing, and will take any appropriate action. (Manager)**

Manager Brown provided some background regarding this item and the next item, which is very similar. They both require the same action to designate a tax increment financing (TIF) district. Tonight, staff is asking the Council to hold a public hearing on the geographical boundaries of the property. Later, the Town and MRRA will meet to work out the financing piece and will create a development program for both districts. He explained the two locations - one around the airport and the other being the property designated as the business park. The State of Maine Department of Economic and Community Development has given its preliminary approval to what is being proposed for each area. The Department also requested adding the map of the whole town showing the location of the two districts within the town boundaries, which map has been included in the Council materials and is identified as Exhibit A, page 2.

Chair King opened public hearing.

**Fred Blanchard**, Harpswell Road, spoke on the TIF and what he believes is the legal authority of MRRA. The Brunswick Landing has been given independent jurisdiction and when the State made MRRA its governing body, they did not give it the power to tax. He spoke at length on the former housing properties and his opposition to an affordable housing TIF for these properties. He also said the base is part of the Pine Tree Zone and this is enough. He opposed the TIF.

Manager Brown clarified that the TIF districts before the Council tonight do not include any area with housing units. He added that the Town will not be doing an affordable housing TIF for these properties, as the benefit to the Town is not great enough.

Seeing no one else wishing to speak, Chair King closed the public hearing.

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Councilor Tucker spoke in support of designating the two TIF districts and how beneficial they will be to the town, since all increased value will be sheltered from state formulas. The Town can use the property taxes for specific uses and still shelter increased value. Creating these districts is important to the Town. The development program has yet to be worked out. The Town is in discussion with MRRA and anticipates reaching an agreement that will be beneficial to all. The Council needs to designate the district now, and work out the rest over the next couple of months.

Councilor Favreau asked the value of the property to be designated. Manager Brown replied the value as of April 1, 2011 was \$0.00, and by April 1, 2012, it will be around \$12 million. This value will be sheltered.

Councilor Perreault asked a question regarding the development program for the districts. Manager Brown said that it is percentages of taxes, and how they will be shared between the Town and MRRA that will be discussed later in the development programs. He will be returning to the Council with an Agreement and a request for approval of the development programs.

Councilor Perreault said he will not be supporting this tonight as he wanted to see the development program part done in conjunction with designating the geographical districts.

Councilor Knight reminded Councilor Perreault that with the Downtown TIF District the Council first designated the geographical boundaries and then worked on details so that the Town could shelter the taxes later.

Councilor Tucker said he understands where Councilor Perreault is coming from and he does share his concerns. However, the Town knows the boundaries of the proposed districts and it needs to lock in the districts now and then discuss how to use the property taxes.

Councilor Pols said there is no downside to designating the geographical districts and if the Town decides not to do the TIF they are not obligated to do it. Manager Brown confirmed the latter statement.

Councilor Wilson said there is no downside to the Town to designating the districts, but there is a large benefit at the other end of the process. Timing is important; the Town knows what the districts are, and then MRRA and the Town can work out the details. This makes life better for all the parties and she will be supporting the designation.

Councilor Watson said it is a matter of timing and the Town wants enough time to negotiate the development program piece of this. He added this sheltering will also help reduce the county taxes and cuts in school funding.

**Councilor Favreau moved, Councilor Watson seconded, to adopt a Town Council Resolution Designating the Brunswick Landing Municipal Development and Tax**

**Increment Financing District. The motion carried with eight (8) yeas. Councilor Perreault was opposed.**

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

17. **The Town Council will hear public comments for the purpose of designating a tax increment financing district at Brunswick Executive Airport, and will take any appropriate action. (Manager)**

Manager Brown introduced this item which has issues identical to the previous item. The reason for two districts is a limit to the acreage included in any single district. The base property exceeded this limit.

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

**Councilor Tucker moved, Councilor Watson seconded, to adopt a Town Council Resolution Designating the Brunswick Executive Airport Municipal Development and Tax Increment Financing District. The motion carried with eight (8) yeas. Councilor Perreault was opposed.**

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

**NEW BUSINESS**

18. **The Town Council will discuss sending a letter to NNEPRA regarding layover facility issues, and will take any appropriate action. (Councilor Perreault and Chair King)**

Councilor Perreault and Chair King spoke regarding this item.

Councilor Tucker spoke about this item.

The following people spoke regarding this issue:

**Chris Casey**, 27 Bouchard Drive  
**Charlie Wallace**, 501 Mere Point Road and property owner on Parker's Way  
**Claudia Knox**, 36 Cumberland Street  
**Robert McEvoy**, 40 Bouchard Drive  
**Emily Boochever**, 18 Bowker Street  
**Dewitt Kimball**, 24 Oak Street  
**Fabian Rueger**, 61 Hennessey Avenue  
**John MacKillop**, 38 Bouchard Drive  
**Anna Nelson**, 13 Bouchard Drive  
**Jeff Reynolds**, 36 Redwood Lane  
**Dan Sullivan**, 24 Bouchard Drive  
**Rob Jarrett**, 3 Meadowbrook Road

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**Susan Nickerson**, 25 Thornton Way  
**Linsey Ost**, 22 Riverview Drive  
**Mary Lou Zeeman**, 3 Oliveira Lane  
**Rob Peabody**, 19 Tufton Street

**Patricia Quinn**, NNEPRA Executive Director, spoke and responded to citizens' comments.

Councilor Perreault spoke on this item.

Chair King closed the public comment session.

Council started a discussion on this item, with all Councilors weighing in on the issue.

**Councilor Perreault moved, Chair King seconded, to table this item until a letter can be drafted and presented to the Council. The motion carried with nine (9) yeas.**

- 19. The Town Council will consider authorizing the Town Manager to negotiate a contract with a Construction Manager as recommended by the Police Station Building Committee, and will take any appropriate action. (Chair King)**

Manager Brown provided information on this item.

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

Councilor Watson, Councilor Perreault, and Councilor Wilson spoke regarding this item.

**Councilor Watson moved, Councilor Tucker seconded, to authorize the Town Manager to negotiate a contract with the Construction Manager as recommended by the Police Station Building Committee. The motion carried with eight (8) yeas. Councilor Perreault was opposed.**

- 20. The Town Council will consider renewing the agreement between the Town of Brunswick and the Brunswick Downtown Association to sublease the Visitor's Center, and will take any appropriate action. (Manager)**

Manager Brown provided information on this item, and responded to Councilor Brayman's questions.

Councilor Knight, Councilor Wilson, and Councilor Pols spoke regarding this item.

**Councilor Watson moved, Councilor Perreault seconded, to renew the agreement between the Town of Brunswick and the Brunswick Downtown Association to sublease the Visitor's Center. The motion carried with seven (7) yeas. Councilor Brayman and Councilor Pols were opposed.**

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*(A copy of the memo from Manager Brown and the lease are attached to the official minutes.)*

21. **The Town Council will consider setting a public hearing for February 21, 2012, for a CDBG program grant for Integrated Marine Systems, and will take any appropriate action. (Manager)**

**Councilor Tucker moved, Councilor Watson seconded, to set a public hearing for February 21, 2012, for a CDBG program grant for Integrated Marine Systems. The motion carried with nine (9) yeas.**

22. **The Town Council will consider appointing members to the Capital Improvement Plan Committee, and will take any appropriate action. (Chair King)**

Chair King appointed the following Councilors to this Committee:

Councilor Wilson (Chair), Councilor Perreault and Councilor Brayman

**CONSENT AGENDA**

- (a) **Approval of the Minutes of January 17, 2012**
- (b) **Approval of a utility location permit application for Maine Natural Gas on a section of Bath Road**
- (c) **Approval of a tax abatement for Nerd Force**

**Councilor Favreau moved, Councilor Brayman seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.**

**Councilor Watson moved, Councilor Perreault seconded, to adjourn the meeting. The motion carried with nine (9) yeas.**

The meeting adjourned at 10:26 p.m.

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

*Frances Smith*

*Town Clerk/Assistant to the Town Manager*

*February 8, 2012*

February 21, 2012

*Date of Approval*

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*Council Chair*