

--APPROVED--
BRUNSWICK TOWN COUNCIL
MINUTES
February 20, 2008
Municipal Meeting Facility

Councilors Present: Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Hallie Daughtry, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, Newell A. Augur, and David C. Webb.

Councilors Absent: None

Town Staff Present: Donald Gerrish, Town Manager; Fran Smith, Town Clerk; Gary Brown, Assistant Town Manager; Clark Labbe, Fire Chief; Anna Breinich, Director of Planning and Development; John Foster, Public Works Director; Kevin Schofield, Police Commander; Sandy Carleton, Deputy Fire Chief; Peter Baecher, Facilities Manager for Parks and Recreation Department; Craig Worth, Deputy Public Works Director; Mat Eddy, Director of Economic Development; Mike Moody, Police Officer; and the TV video crew.

Executive Session: **Discussion of Confidential Records as per M.R.S.A. § 405(6)(F) (Poverty Tax Abatement)**

Councilor Augur moved, Councilor Favreau seconded, to go into executive session to discuss confidential records per M.R.S.A. §405(6)(F) regarding a poverty tax abatement. The motion carried with seven (7) yeas. Councilor Daughtry and Councilor Webb arrived after the vote.

Meeting Continued: 7:00 P.M.

Chair King called for the Pledge of Allegiance.

Public Comment: None

Correspondence:

Councilor Daughtry asked that a letter from Fred Blanchard be entered into the record as correspondence.

(A copy of Mr. Blanchard's letter will be attached to the official minutes.)

Councilor Watson congratulated the Brunswick High School boys track team, who were state champs, and the girl's team, who came in second.

Adjustments to the Agenda: None

Manager's Report:

(a) SHAPE Award Presentation

Bill Peabody, Director of Labor Standards, said their department has given out this award only fourteen times, and in all other cases it was for a single municipal department. Brunswick is the first town to receive the SHAPE Award for the entire town's operation. He presented the award to the town.

(A copy of a letter from the Department of Labor will be attached to the official minutes.)

Anne Schneider, MMA representative, congratulated the town on its efforts.

(A copy of Ms. Schneider's letter will be attached to the official minutes.)

Mr. Brown, Assistant Town Manager, said the town is also saving \$22,000 in worker's compensation in this budget. He thanked the Safety Committee that consists of Craig Worth, Deputy Director Public Works Director and Safety Committee Chair, Peter Baecher, Parks & Recreation Facilities Manager, Sandra Carleton, Deputy Fire Chief, Mike Moody, Lieutenant, Brunswick Police Department, Jessica Factor, Human Resources Specialist, and Angie Bradstreet, Administrative Secretary, Codes Enforcement.

(b) Council Committee Updates

Councilor Knight said the Maine Street Station Oversight Committee got together with a group of citizens in an untelevised meeting so they could have an exchange of information more easily.

Councilor Webb said the Business Park Feasibility Committee has interviewed four consultants and have selected two, SYT Design and Wright-Pierce, to speak with further. They are hoping to meet again in March to do final interviews and select a candidate. There has been some discussion on the options on the two properties.

Councilor Klatt said the Teen Center Board is in need of volunteers and will have to be closed tomorrow without them. They are in need of donations also and will need a new location soon. There is a town appointed position open on the Board. They will be busing teens to the center from the junior high and high schools, with parental permission.

Councilor Favreau said the Elementary School Building Committee had a meeting last Thursday and have the latest floor plan for the building. They are proceeding with a larger gym and the community meeting room.

Chair King said Assistant Town Manager Gary Brown and Heather Collins from the Chamber of Commerce have been nominated to fill the vacancies on the MRRA board.

(c) Vernal Pool Survey

Mr. Brown said Aram Calhoun, Professor of Wetlands Ecology at the University of Maine, is offering to evaluate all the potential vernal pools in Brunswick. The town estimates there are about 400 in Brunswick. Letters would be sent to homeowners to see if they would be agreeable to having their vernal pool evaluated. This will be done at no cost to the town and would be a valuable tool to have in the event of future development. The Fox Run and Moore Properties would be some of the first ones to be evaluated. Twenty-five people have already signed-up.

(A copy of a memo from the Natural Resource Planner, Vanessa Levesque, will be attached to the official minutes.)

Chair King added that participation is voluntary.

(d) Presentation by Chamber

Chad Schuman, Chris Turner and **Heather Collins** from the Chamber of Commerce gave this report. Their mission is clear – they are committed to growth and development of their members. They are working to ensure development of the community.

Heather Collins, Executive Director of the Chamber, said they are focusing on five areas: promoting education (monthly breakfasts, lunch & learns, and the Midcoast Maine Leadership Institute); marketing the entire region across the board from tourism to retirement community; networking events – mostly business to business; working on legislation; and supporting other regional groups.

Chris Turner, Downeast Energy and Chamber, would like to invite the town back to the chamber. While they are a regional chamber, they represent the people, who do the banking, car repairs, and so forth. They represent the businesses that employ many of the people in this town. They appreciate the town's support.

(e) Recycling Update

Mr. Brown said over the course of the past year there has been an increase of 61% in recycling.

(A copy of a report on this will be attached to the official minutes.)

(f) (ADDED) Workshop with School Board

Mr. Brown said they will be postponing the workshop until March 10, 2008.

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

Special Amusement License
Cuddy's Bar & Grill, Inc.
D/B/A: Cuddy's Bar & Grill
103 Pleasant Street

Kristen Dwelley

Chair King said this item is for public comments and to consider approval of the Special Amusement License for Cuddy's Bar & Grill, Inc., located at 103 Pleasant Street.

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

Commander Schofield explained a memo regarding an agreement between the town and Cuddy's Bar & Grill and the conditions of approval of their special amusement license. Mr. Brown added the owner is aware of this memo and conditions under which her license will be allowed. If there are issues, the Police will have the authority to act and suspend the license.

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

Councilor Watson moved, Councilor Tucker seconded, to approve the application for a Special Amusement License for Cuddy's Bar & Grill, Inc., located at 103 Pleasant Street, under the following condition: during the term of the issued license, if incidents occur that are related to special amusements that result in arrests or other significant public safety matters, the Chief of Police may suspend the license pending action by the Town Council to either revoke or reinstate the license. The motion carried with nine (9) yeas.

14. (Tabled) The Town Council will discuss a citizen's appeal process, and will take any appropriate action.

Councilor Webb explained he sees this as part of the public comment process and gives citizens a way outside of the meeting to deal with issues. He and Mr. Brown worked within employment policy and bargaining agreements.

Councilor Knight said she feels that the Chair should be informed when there is a complaint filed and she wanted that language added.

Councilor Webb said that could be made more clear in there and that would be an appropriate amendment.

Councilor Watson said there is no process where the citizens make the submission and no reference to a written report on a complaint about the Town Manager.

Town Council Minutes

February 20, 2008

Page 5

Councilor Webb said this is a good point; there should be language to make a complaint with the Assistant Town Manager and it should be given to the Council Chair or the subcommittee members.

Councilor Augur wanted to allow the Chair to make a substitution on the subcommittee, if necessary, or if a complaint is from a non resident and a district is not involved.

Chair King felt this was a good document and the concerns were implied. She suggested trying this, and, if necessary, making corrections if problem arise.

Councilor Klatt said this process should be open as possible. Adding a third Councilor may be something to think about at a later time.

Councilor Augur said the document was good, but he just wanted to flush out these issues.

Councilor Webb said he appreciates the comments. They could add some of the issues like notification of a complaint on the Town Manager, to be filed with the Assistant Manager to give to the Chair, and give the Chair discretion to appoint different Councilors, if necessary.

Councilor Watson moved, Councilor Daughtry seconded, to adopt the Citizen's Appeal Process policy with the discussed changes. No vote was taken on the motion.

Councilor Watson moved, Councilor Daughtry seconded, to table this item. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

18. (Tabled) The Town Council will consider adopting Town Council Goals for 2008, and will take any appropriate action.

Mr. Brown explained these goals are based on discussions at the retreat in January.

Chair King read the six goals.

Councilor Klatt asked for clarity to ensure that #5 on the business park does not mean that Brunswick is definitely going to have a business park and if she votes for the goal it does not mean she wants one.

Mr. Brown responded this does not mean there will definitely be a business park; this is not a mandate, but provides some basis if the town chooses to do this. The Council had a subcommittee look at having a business park and this report will be included in the Comprehensive Plan.

Councilor Watson would like to have the goals posted on the town website.

Councilor Klatt wanted to add under #3 to have it say “Responsible Economic Development.”

Chair King said she felt this was implied.

Councilor Daughtry added the town needs to have a long range vision and plan when it comes to economic development, which is a necessity of life.

Councilor Knight said if Councilor Klatt is more comfortable with the addition, she will support it.

Councilor Watson moved, Councilor Daughtry seconded, to adopt the Council Goals for 2008, and to add the work “Responsible” at the beginning of #3 to say “Responsible Economic Development.” The motion carried with nine (9) yeas.

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

19. (Tabled) The Town Council will consider appointments to the Town’s Boards and Committees, and will take any appropriate action.

Councilor Daughtry nominated the following:

Benson Ford – Assessment Review Board

Richard Lancaster – Recreation Commission

Gail Lowe – Elementary School Building Committee as citizen representative

Margaret Wilson – Planning Board

Steve Walker – Planning Board

Charles Updegraph – Citizen Initiative Ballot Clarity Board

Jeff Pelletier – Village Review Board

Councilor Favreau moved, Councilor Daughtry seconded, to appoint the above list of people to town boards and committees. The motion carried with nine (9) yeas.

24. The Town Council will consider adopting Town Council Rules Section 7 regarding public comments, and will take any appropriate action.

Councilor Webb discussed adding “political causes” to the last version of the proposal. There had been some discussion of citizen forums. After speaking with Councilor Daughtry, it was decided to try the proposed policy for awhile and have other committees have public forums to focus on certain issues. The Council can always call a special meeting or workshop, as necessary, so he did not put anything in concrete on public forums.

Councilor Augur would like to have public comment section last only 15 minutes and 3 minutes per comment allowed.

Town Council Minutes

February 20, 2008

Page 7

Chair King said this change would have to postpone the vote on this tonight. She asked who would favor this and four Councilors did, Councilor Tucker, Councilor Daughtry, Councilor Knight, and Councilor Augur. Without a majority, Chair King proposed moving forward with what is presented tonight.

Councilor Favreau moved, Councilor Watson seconded, to adopt the Town Council Rules, Section 7 D. iv, regarding public comments. The motion carried with eight (8) yeas. Councilor Augur was opposed.

25. The Town Council will discuss a poverty tax abatement, and will take any appropriate action.

Councilor Augur moved, Councilor Daughtry seconded, to deny the poverty tax abatement. The motion carried with nine (9) yeas.

26. Consent Agenda:

Minutes of December 17, 2007

Minutes of January 7, 2008

Minutes of February 11, 2008

Councilor Augur moved, Councilor Webb seconded, to approve the consent agenda. The motion carried with nine (9) yeas.

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

The meeting adjourned at 8:26 p.m.

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Frances M. Smith

Town Clerk

April 25, 2008

May 5, 2008

Date of Approval

Council Chair

