

-- APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
July 7, 2008
Executive Session 6:30 P.M.
Meeting Continues 7:00 P.M.
Municipal Meeting Facility

6:40 P.M. Chair King called the meeting to order and asked the Clerk for roll call.

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; Elin M. Gould, Deputy Town Clerk; Gary Brown, Assistant Town Manager; John Foster, Public Works Director; Richard Rizzo, Chief of Police; Marc Hagan, Police Commander; Kevin Schofield, Police Commander; Mark Waltz, Police Lieutenant; Jeff Hutchinson, Codes Enforcement Officer; and the TV video crew.

Councilor Watson moved, Councilor Tucker seconded, to go into Executive Session to discuss union negotiations Per 1 M.R.S.A. § 405(6)(D). The motion carried with (6) yeas. Councilor Augur, Councilor Webb, and Councilor Daughtry arrived after the vote.

Meeting Continued: 7:00 P.M.

Chair King called for the Pledge of Allegiance.

Public Comment:

Tom Fusco, 66 Board Road, said a great job was done in hiring the new Police Chief. He also said Councilor Klatt was right to vote no regarding the funding of St. John's School. He would have asked even more questions. Money should not be given to a private school when cutting the public school budget.

Councilor Augur arrived.

Patty Dunning, Brackett Road, commented that the town website said last week's meeting was at one time but it was changed and she and a few others wanted to speak. She feels disenfranchised and frustrated trying to participate. Ms. Dunning suggested a policy to table any agenda item changes.

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Correspondence:

Manager Gerrish spoke about a letter received from Barry and Michele Brock, whose daughter tragically drowned in a neighbor's swimming pool in May. He said an agenda item later in the meeting is to an action in response to the letter.

(A copy of the letter from Barry and Michele Brock will be attached to the official minutes.)

Adjustments to the Agenda:

To add an executive session at the end of the meeting regarding the acquisition of real property.

To take up item #120 before item #116 at the request of the owners of Bacari, who have time constraints.

Manager's Report:

(a) Financial Update

Manager Gerrish said due to the holiday the information is not yet available; he will make a report at the next meeting.

(b) Council Committee Updates

Councilor Knight reported that the Maine Street Station Oversight Committee met on July 1, 2008 and received a preliminary time line. The next meeting is on August 14, 2008, at 5:30 p.m.

Councilor Webb said the Economic Development Feasibility Committee also met on July 1, 2008, and received an overview on the Moore property from the engineers. Eighty developable acres were identified, subject to site visits by the Department of Environmental Protection. Subsequent to the meeting it was learned that fourteen of those acres are owned by a third party. The committee meets next on July 10, 2008.

Councilor Favreau reported that the Elementary School Building Committee met on June 26, 2008, with a preliminary time line. Their next meeting will be August 7, 2008, and they will continue to meet once a month.

Manager Gerrish told the Council that the School Board would like a joint meeting with the Council in September regarding mementos from the old high school prior to it being demolished.

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(c) Update on Mere Point Boat Launch

Manager Gerrish reported that the mooring issue is before the Department of Environmental Protection and the town is awaiting the approved easement from Central Maine Power. He will update the Council weekly.

Responding to Councilor Tucker's question, Manager Gerrish said the boat launch cannot be opened up ahead of time for small boats only.

Councilor Daughtry arrived.

(d) Town Line Boundary with Harpswell

Manager Gerrish referenced a letter from the Harpswell Town Administrator and gave a short history of the issue. He said a settlement was negotiated about ten years ago and was approved by the Brunswick Town Council, Harpswell Town Meeting, and the State Legislature, and was signed by then Governor King. Manager Gerrish and Chair King will attend the meeting in Harpswell on July 17, 2008; their position is that there is nothing new and the issue has been settled.

Councilor Klatt added that any interested citizen may attend the meeting, as well.

(A copy of a letter from the Harpswell Town Administrator will be attached to the official minutes.)

(e) Election of MMA Legislative Policy Committee Members

Manager Gerrish told the Council that Councilor Augur has served for the past few years. If no Councilor is interested, he offered that he or the Assistant Town Manager would be willing to serve. He did feel, however, it was good for an elected official to do it.

Councilor Augur explained that it involves an all day meeting once a month, reviewing all the bills.

Councilor Favreau moved, Councilor Webb seconded, to nominate Councilor Augur to serve as Brunswick's representative to the MMA Legislative Policy Committee. The motion carried with nine (9) yeas.

Councilor Favreau moved, Councilor Webb seconded, to nominate James Cassida of Freeport to serve as a representative to the MMA Legislative Policy Committee. The motion carried with nine (9) yeas.

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

(f) Election of MMA Vice President & Executive Committee Members

Councilor Augur moved, Councilor Webb seconded, to support the slate of nominees for MMA Vice President and Executive Committee Members. The motion carried with nine (9) yeas.

(A copy of a letter from MMA with the proposed slate of candidates and biographical sketches of each will be attached to the official minutes.)

(g) Court Forfeited Drug Proceeds

Chief Rizzo explained the circumstances surrounding the seizure by Detective Lynne Doucette.

Councilor Webb moved, Councilor Favreau seconded, to accept and expend the funds from the drug seizure, which funds are to be used by the Police Department. The motion carried with nine (9) yeas.

Chair King thanked Detective Doucette for her work.

Councilor Klatt commented on an article in the Times Record regarding pro-active policing, saying Chief Rizzo has been doing a good job. Police have been evident in several areas of town.

Councilor Klatt moved, Councilor Watson seconded, to write a letter of commendation to Chief Rizzo to be placed in his personnel file. The motion carried with nine (9) yeas.

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

(h) ZipCar Presentation

Catherine Longley, Senior Vice President of Bowdoin College Finance and Administration, explained how the ZipCar program works. Bowdoin College will start an open program in August, with two cars. An open program means any resident can enroll, not just Bowdoin College students. Ms. Longley said the program has been a success at Bates College, and other colleges in Maine are looking at it, as well. Working with the Town Manager and Public Works Director, the location of 6-8 College Street, across from the library, has been determined to be the parking site for the two ZipCars. It is hoped that this program will decrease cars on campus, and it is environmentally friendly.

Councilor Knight, who is a ZipCar participant at Bates College, added that ZipCars allow people to leave their cars at home when commuting to work and still be able to do errands or go to appointments during the day.

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Councilor Daughtry said she is familiar with the program and thinks it is wonderful. She thanked Bowdoin College for including the Town in its program.

(A copy of a ZipCar fact sheet provided by Bowdoin College will be attached to the official minutes.)

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

Special Amusement

Sagatuck/MidCoast OTB, Inc.

D/B/A: Winner's-A Sports Grill

21 Gurnet Road, Cooks Corner

Gary Sagris

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

Councilor Watson moved, Councilor Tucker seconded, to approve the Special Amusement License request for Winner's-A Sports Grill located at 21 Gurnet Road. The motion carried with nine (9) yeas.

113. The Town Council will hear public comments regarding Winner's Sports Bar Off-Track Betting facility relocating from their current location at Cook's Corner to 110 Pleasant Street, and will take any appropriate action.

Manager Gerrish explained that the Council must approve the new site. Off Track Betting was originally approved twelve to thirteen years ago.

Chair King stated that the Police Department has had no problems with the site.

Chair King opened the public hearing.

Jerry Lamarre, Racing Director, Topsham, said Winner's is one of the most successful OTB's in the State. The money supports agricultural fairs and harness racing. He supports this request.

Betsy Marr, Cumberland Street, wanted to know exactly where the new location would be.

Manager Gerrish responded that it is the former Poncho Villa's restaurant.

Tom Jones, Route 24, is a member of the Rotary Club. He said Winners is a terrific host for Rotary and will be a good neighbor on Pleasant Street. They run a very professional service.

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Gary Sagris, owner of Winner's and OTB, said the building where he is now located is going up for auction on July 17, 2008. It is the probable intention of whomever the new owner will be, to tear down the building. He has been negotiating with the owners of the new location but the lease is not finalized yet. He must still go before the Harness Racing Commission on July 16, 2008. He hopes to be in the new location within ninety days. Mr. Sagris went on to say that Mr. Jackson from the State Harness Racing Commission feels the location, including the parking, is fine for Winner's, the OTB, and a scaled down banquet room. He runs a good clean family style sports grill.

Responding to a question on process from Chair King, Manager Gerrish said the Council needs to approve this before it can be finalized. If the location were to change, the applicant would have to come back to the Council again.

Paul Kelley, co-owner of the building at 110 Pleasant Street, said all the driveways are being moved in conjunction with the Dunkin Donuts that has recently been approved for the adjacent property; it will be up to date and there will be no left hand turns allowed. He thinks this will be a good site for Winner's and OTB.

Kevin Kelley, co-owner of the building at 110 Pleasant Street, said the lease is 95% complete and they are working with Mr. Sagris' contractor regarding renovations that need to be made.

Chair King closed the public hearing.

Councilor Watson moved, Councilor Favreau seconded, to approve Off-Track Betting for Winner's A-Sports Grill for their new location at 110 Pleasant Street.

Councilor Klatt said it was her impression Mr. Sagris is worried about the possibility of not being able to get into the new location in a timely manner and she asked if the Council could do anything to control the auction timing. She is also asking if the Brunswick Development Corporation and Brunswick Economic Development Corporation could help with their funds Winner's move from its current site to the other location. Mr. Sagris employs 42 people and he is trying to do the right thing.

Responding to a question from Councilor Daughtry, Manager Gerrish said the existing use at 110 Pleasant Street is already a Class A restaurant, the same as Mr. Sagris is planning, so there are no additional traffic issues from the Town's perspective.

The motion carried with nine (9) yeas.

Mr. Sagris said he feels he will work something out with the owners in the near future. His main concern is the time to do the renovations; he may be shut down for a week or two. He also said Chief Labbe and the Brunswick Fire Department did a wonderful job helping him to remain open almost all the time the Northeast Firefighter training was being held on site.

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Manager Gerrish said the Fire Department worked very closely with Mr. Sagris to keep his place open during that time. They will try to continue to help.

(A copy of a packet including letters, memos, law excerpts, and previous minutes, will be attached to the official minutes.)

114. The Town Council will hear public comments on the “Disorderly House” Ordinance, and will take any appropriate action.

Councilor Knight said she still feels this proposed ordinance does not discriminate against any group and it does not penalize responsible landlords. It has worked well in Orono. The cornerstone of it is communication. The changes that have been incorporated include an appeals process and definitions of residential property. There is also an additional change being proposed which is not in the current draft, one that exempts Bowdoin College.

Elizabeth Marr, Cumberland Street, said she is supporting this. Property owners should be held accountable and this gives power to the Police and the Codes Enforcement Officer to promote the health and safety of neighborhoods.

Betsy Marr, 34 Cumberland Street, concurs with her sister, the previous speaker. She hopes there will be continued work on the definition of household. The Codes are subject to judgment and interpretation and need tightening up.

Don Turner, 64 Cumberland Street, objects to the proposed ordinance. A problem should be taken care of by the Police Department. He does not think a landlord should be babysitting his tenants. It is hard to define a household, to do so could be discriminatory.

Chair King said a definition of household is not part of this.

Commander Hagan explained that under the current ordinances a warning must be given each day an offense occurs, which stymies action. The new ordinance would allow a violation to be considered continuous from one day or one weekend to the next. The Police Department supports the proposed ordinance.

Ronald Dumont, 10 Hemlock Road, said it is not clear if a disturbance has to be witnessed by the Police or could be a complaint by an irate neighbor. It is an ill-fated path and scary to consider passing this ordinance.

Karen Grich, Oak Street, supports the proposed ordinance. It is very appropriate for the landlord to get a warning. This is about behavior and respect, not about discrimination. The majority of noise is not students, but domestic fights and verbal violence, especially in warmer weather, and it has to stop. The fines against the landlords should be posted on the town website.

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Bev Bevilaqua, 76 Federal Street, said this is an important issue. He is skeptical that the new ordinance will help the disturbance issues. He said there has been a major change in attitude since Chief Rizzo has been Chief, the Police respond immediately. He questions if a fine for an absentee landlord is going to help. It is a zoning problem; if that is solved then the enforcement issue will be solved.

Jeff Matthews, Topsham, and owner of property on Oak Street, said the ordinance does not solve the problem. It is passing the problem on to the landlord. It is discrimination to exempt Bowdoin College. He questioned if Brunswick Housing Authority or Tedford Shelter would be exempt, too, and who would get the fine if a management company were in charge of a property.

Mr. Seratakis, owner of 17 Cleveland Street, fears calls based on malice. It would be more effective if the tenant, solely or also, were fined. He spoke of the current monitoring of decibel levels at the property line and asked how that would work with the new ordinance. He does not have a boarding house and he is not an absentee landlord.

Steve Daniels, 14 Dunning Street, landlord and property owner, wholeheartedly agrees with the proposed ordinance. He recommended making sure the penalties are stiff enough and said they should include the tenants, as well. He suggested using TenantNet weed out bad tenants.

Chris Ledwick, High Street, said the help is needed. The problem is not just college students and it is not discrimination, it is help.

Peter Lowe, 11 Thompson Street, said he heartily supports the efforts. He has rental property adjacent to where he lives and there have been good and bad tenants, some students, some military, some domestic partners. The Police Department's hands have been somewhat tied. He agrees with holding landlords accountable to some degree.

Chair King closed the public hearing.

Manager Gerrish said the proposal needs to be amended to include the appeals process to the Town Manager, who is the person the Town Attorney felt should be the appellant, and to exempt Bowdoin College.

Councilor Augur said he trusts the Police Department to know a vindictive tenant. There is a provision regarding landlords' efforts to respond. The issue is if the landlord is taking steps to deal with the problem. If not, then the fines come into play. Councilor Augur accepts the Town Manager as the appellant but does not accept exempting Bowdoin College. He thinks they would want to be held to the same or a higher standard as all other landlords.

Councilor Tucker said he will not support the entire college being exempt, but will support exemption on-campus locations, and he is okay with the rest of the proposed ordinance.

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Councilor Watson said he is not comfortable with the term “leased” property.

Councilor Favreau said Bowdoin College has finite control on campus but no control out in town.

Randy Nichols, Director of Bowdoin Safety and Security, said the college does not rent off-campus housing. They have leverage and a disciplinary process. He supports the ordinance. Mr. Nichols went on to explain that he personally meets with off-campus students regarding citizenship and being good neighbors. Student accountability is very high. There is a great relationship with the Brunswick Police Department and the system works well. He also said there is a good relationship with the College Neighbors Association, and a good process in place. He asked that Bowdoin College residential property be exempt from this ordinance.

Catherine Longley, Bowdoin College, said they have twenty properties leased to faculty. The exemption is intended to embrace all.

Councilor Augur asked what the objection would be to being held to the same standard.

Mr. Nichols responded that they hold students to an even higher standard of conduct. The in-house judicial system is fair and clear and it is working.

Chair King said she is in favor of the amended language as proposed by Councilor Knight. It can be brought back later and amended if it becomes a problem.

Councilor Augur said he was uncomfortable with exempting the college. He suggested a reference to a student disciplinary process under landlord action.

Councilor Klatt disagreed with Councilor Knight on the Bowdoin College exemption. She said the proposal is based on Orono’s, and the University of Maine at Orono is not excluded. She questioned why Bowdoin should be.

Councilor Daughtry said she completely supports the goals of the ordinance but thinks there are better ways to accomplish this. She prefers Bath’s ordinance to Orono’s. She strongly feels the penalty should be borne by the disorderly person rather than the landlord. Things like loud parties cannot be screened out. Councilor Daughtry would like to see copies of the laws regarding eviction and cannot vote for the proposed ordinance until she sees that information.

Chair King, hearing lots of differing opinions, recommended tabling the item.

Councilor Augur objected to tabling the item, saying that only one thing needed to be decided, that of the Bowdoin College exemption.

Councilor Augur moved, Councilor Favreau seconded, to adopt the proposed Disorderly House ordinance, amended to include the appeal process, and excluding the Bowdoin College exemption.

Councilor Klatt said she got the appeal process at the last minute but would like to get going on this ordinance and deal with the appeal process and Bowdoin College exemption later.

Councilor Knight moved, Councilor Favreau seconded, to table the “Disorderly House” Ordinance. The motion carried with nine (9) yeas.

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

115. The Town Council will hear public comments on the “Citation” Ordinance, and will take any appropriate action.

Councilor Knight said this will give the Codes Enforcement Officer (CEO) another tool to follow up on code violations. If there is a code violation, the CEO will ask to inspect the premises and will speak with the owner about remediation. Only after continued noncompliance would a citation be written.

Councilor Klatt explained that this does not deal just with landlord tenant issues but with every ordinance in town and it is very much needed.

Councilor Daughtry very much supports the ordinance.

Chair King opened the public hearing.

Ronald Dumont, 10 Hemlock Road, asked if this gives the CEO the right to enter a property without a court order if the owner refuses permission to enter.

Manager Gerrish responded that a legal document would need to be obtained.

Chair King closed the public hearing.

Councilor Watson moved, Councilor Klatt seconded, to adopt the “Citation” Ordinance. The motion carried with nine (9) yeas.

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

Item #120 was taken up next.

116. The Council will consider an amendment to Chapter 5, Section 5-52 (Building & Building Regulations), Article II, (Building Standards) of the Municipal Code of Ordinances relative to swimming pools to be enacted on an emergency basis, and will take any appropriate action.

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Manager Gerrish said Brunswick's ordinance was compared with others and specifically with the ordinance in place in Hallowell, to which the Brock's referred in their letter. The whole Council supports this amendment and it is an ordinance the Town should have in place.

Councilor Favreau commented that additional safety features can be added at a later date.

Chris Ledwick, on behalf of the Brock's and as a Brunswick parent, said he thinks it is great that this is being taken up. It is clear, easy, and straight forward. He talked about Consumer Protection Agency rules and stressed that enclosure requirements around a pool must be met. Homeowners want to know if their pool is safe. There must be real consequences for violations, more than fines; pools should be shut down for the summer.

Chair King said this is the quickest simplest approach and she is interested in follow-up for more ideas.

Ginger Taylor, 11 High Street, thanked the Council for acting so quickly to tighten and clarify the rules. She is most worried about the precedent this is setting by there being no consequences and no enforcement.

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

Laura Lienert, High Street, asked for a serious look at consequences for violations, going so far as to revoke the privilege altogether.

In response to Councilor Klatt's question regarding proper enclosure requirements, Manager Gerrish said the information, included in the Council packets, is in the Boca Code.

Councilor Klatt, noting that there was obviously access to the pool at the time of the accident, does not know how the Town can address this. The pool was used several times before the Certificate of Occupancy and there was no building permit for the deck, either. She asked about the Brock's concern that it is still out of Code.

Manager Gerrish responded that the property was looked at again today and it is in compliance with the Code. The Town can only follow the ordinances, making changes in those when necessary. The Citation ordinance is an attempt to speed up the process and improvements will continue to be sought.

Councilor Favreau explained that a four foot high above ground pool without a ladder is the enclosure and the Boca Code, to which Brunswick adheres, is a national code.

Councilor Klatt said the deck is the issue being questioned. If the child were alive today, she could still access the water.

Councilor Augur moved, Councilor Knight seconded, to adopt an amendment to Chapter 5, Section 5-52 (Building & Building Regulations), Article II, (Building Standards) of the Municipal Code of Ordinances relative to swimming pools to be enacted on an emergency basis. The motion carried with nine (9) yeas.

Chair King commended the speakers who came up tonight. The enclosure requirements and lack of penalties are not acceptable and more language will be brought back.

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

Councilor Augur moved, Councilor Favreau seconded, to set a public hearing for July 21, 2008, for an amendment to Chapter 5, Section 5-52 (Building & Building Regulations), Article II, (Building Standards) of the Municipal Code of Ordinances relative to swimming pools so it can be enacted on a regular basis. The motion carried with nine (9) yeas.

117. The Town Council will consider setting a public hearing to amend Chapter 15, Article IV of the Municipal Code of Ordinance to designate a “No Parking Zone” on Potter Street commencing from Union Street and extending easterly 36 feet, and will take any appropriate action.

Councilor Knight said this proposal is the result of a citizen complaint. The Town Engineer agrees with the need and recommends a thirty six foot no parking zone.

Don Turner, 64 Cumberland Street, said there are no parking zones on the books already and they should be enforced. The Police are not enforcing the two hour parking on Cumberland Street and on Park Row.

Councilor Watson said the Potter Street intersection, as well as Page Street, are dangerous intersections.

Councilor Watson moved, Councilor Tucker seconded, to set a public hearing for July 21, 2008, to amend Chapter 15, Article IV of the Municipal Code of Ordinance to designate a “No Parking Zone” on a section of Potter Street. The motion carried with nine (9) yeas.

118. The Town Council will discuss changes to the Towing Policy and Guidelines, and will take any appropriate action.

Police Lt. Waltz said that all the towing companies are in agreement with the proposed policy and guidelines.

Manager Gerrish thanked Lt. Waltz and the towing company owners, who came up with the proposal. It answers fairness questions and puts more teeth into the guidelines by allowing background checks. Responding to Councilor Augur’s question, Manager

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Gerrish explained the effect of the rotation system on companies with common ownership, saying it is a great solution.

Councilor Knight moved, Councilor Augur seconded, to adopt the amended Towing Policy and Guidelines. The motion carried with nine (9) yeas.

(A copy of a memo from Lt. Waltz and the adopted Towing Policy and Guidelines will be attached to the official minutes.)

119. The Town Council will consider changes to Council rules to have Council hold public hearings before selling property or entering into joint development agreements, and will take any appropriate action.

Councilor Webb incorporated suggested changes regarding the time frame and executive session into this version.

Councilor Watson asked if tax acquired property would be affected by this.

Manager Gerrish responded that the wording includes “for purpose of development” so tax acquired property, which is generally turned back to the owner, would not be affected.

Councilor Knight applauded Councilor Webb for this proposal, which is in response to questions that that came up surrounding Maine Street Station. She would like to fully debrief those involved, such as the Planning Board, before something is done that may jeopardize town dealings.

Councilor Webb responded that town staff has not said they feel it will jeopardize dealings. He went on to say it just gives the ability for the public to weigh in. To put this in place now adds a level of transparency.

Councilor Favreau said there has been transparency for the past two years. The Council Rules should not be touched at this time.

Councilor Tucker said he likes this proposal but would like it more if he had more information on how the process happened, and he does not want to vote on this tonight.

Councilor Watson agreed with Councilor Tucker.

Councilor Augur does not want people involved with Maine Street Station to think this is a slap in the face.

Councilor Daughtry said the proposal is fine as is. Anything that increases transparency is wonderful.

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Councilor Tucker suggested that the Maine Street Station subcommittee could look at the process and bring forth a recommendation.

Councilor Klatt agreed with more openness and transparency. She would like this to be stricter and include purchases. There should be a workshop related to a particular purchase agreement. Getting information is a big problem for the public.

Councilor King stated that it appears the majority of the Council would like to review the process.

Councilor Webb recommended tabling this and getting input from the Maine Street Station Committee.

Councilor Webb moved, Councilor Watson seconded, to table the changes to the Council rules regarding conveyance of town property. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

(A copy of the proposed changes will be attached to the official minutes.)

120. The Town Council will consider a request from Bacari Restaurant to have outdoor seating on public ways included in their alcohol license, and will take any appropriate action.

Manager Gerrish introduced this item, which is a request from Bacari to have outside seating and serve alcohol outside. He said the area is to be enclosed, which is required, and all interested departments have approved the request. Staff has no problems with the proposal.

Councilor Watson moved, Councilor Tucker seconded, to approve the request for Bacari Restaurant to allow seating on the public way and to include outdoor seating in their alcohol license. The motion carried with nine (9) yeas.

121. The Town Council will discuss funding of the Marriner Road Outfall Repair, and will take any appropriate action.

Manager Gerrish explained that the storm drain has separated and it is beyond what Public Works can do so an outside firm needs to be hired.

Responding to a question from Councilor Daughtry, John Foster said the area is beyond the end of the paved road, in a gated area which is used for a snow storage area in the winter.

Councilor Klatt wanted the public to know she would be voting against this because she had not had the time to look at the proposed resolution yet.

Councilor Knight moved, Councilor Favreau seconded, to adopt the Resolution For An Emergency Appropriation Of \$25,000 From Unappropriated Available General Fund Revenues To Finance The Cost Of Repairing A Portion Of The Storm Drain System Near Marriner Road. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

(A copy of a memo from John Foster, a map, and the resolution, will be attached to the official minutes.)

CONSENT AGENDA:

Minutes of March 17, 2008

Minutes of April 7, 2008

Minutes of June 30, 2008

Councilor Knight requested a correction to the minutes of March 17, 2008, correcting the spelling of a name, and to the minutes of April 7, 2008, adding the date of an upcoming meeting.

Councilor Klatt said she had not had time to go over the minutes.

Councilor Watson moved, Councilor Favreau seconded, to approve the Consent Agenda, as amended. The motion carried with eight (8) yeas. Councilor Klatt abstained.

Councilor Webb moved, Councilor Augur seconded, to go into Executive Session regarding the acquisition of real property per 1 M.R.S.A. § 405(6)(C). The motion carried with nine (9) yeas.

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

The meeting adjourned at 10:10 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.

*Elin M. Gould
Deputy Town Clerk
July 9, 2008*

July 21, 2008

Date of Approval

Council Chair