

-- APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
November 19, 2007
7:00 P.M.
Municipal Meeting Facility

7:09 P.M. Meeting called to order

Chair King called the meeting to order and asked for the Pledge of Allegiance.

Councilors Present: Chair Joanne T. King, W. David Watson, Jacqueline A. Sartoris, Hallie Daughtry, Jeffrey A. Schneider, Gerald E. Favreau, Margo H. Knight, Newell A. Augur, and David C. Webb.

Councilors Absent: None

Town Staff Present: Donald Gerrish, Town Manager; Patricia A. Foley, Executive Assistant; Gary Brown, Assistant Town Manager; Mat Eddy; Director of Economic Development; John Foster, Public Works Director; Rick Desjardins, Commander Police Department; Clark Labbe, Fire Chief.

Public Comment:

Chair King cited Council Rules of Order on the Public Comments and Decorum Order sections.

Julie Poole, Moody Road, would like the Chair to take action regarding negative remarks made at the public comment section of the Council meetings.

Tom Fusco, Board Road, said the attitude and comments at the last Council meeting during the public comments section were uncalled for. This issue needs to be addressed.

Councilor Webb stated that public comments about the Council are rude and uncalled for.

Correspondence: Attorney Pat Scully handed out a "Role of Town Council" document.

(A copy of Attorney Scully's document will be attached to the official minutes.)

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Manager's Report:

(a) Council Committee Updates

Councilor Webb updated the Council on the business park. He said that the consultants recommend the Fox Run site but that it will need to be looked at for access. It will be a couple of weeks before they can look at this.

Manager Gerrish advised that Councilor Augur and Councilor Webb should sit down with the Department of Transportation to discuss access issues related to the Fox Run site.

Councilor Sartoris said that if there are any transportation issues they should be discussed with the Department of Transportation for both the Portland Road and Fox Run sites.

Manager Gerrish stated that he does not believe these issues are as large with the Portland Road site as they are with the Fox Run site.

Councilor Favreau updated the Council on the elementary school. The Committee has discussed going to Jordan Acres, Longfellow School, and the Rotary Club to present facts on how they came to a decision on the selection of the site.

Councilor Daughtry updated the Council on the Municipal Facility Committee activities. They have received new plans from Keck Architects that show most of the athletic facilities on this site. She also advised that the straw vote will be on November 28th at 6:30 P.M at the Jr. High School Gymnasium.

Councilor Knight updated the Council on the Maine Street Station Committee and announced that on November 29 at 5:00 P.M there will be a meeting at the Old High School where the developer will show plans for Maine Street Station.

(b) Budget Schedule

Manager Gerrish gave the Council a time frame for the "2008/2009" Budget. There will be a referendum on the school budget on June 10th and in order to meet that time frame the proposed budget will need to be completed by March 31st. The month of April will be for discussion, the hearing will be held in May, with the hope of adopting the budget by May 27th.

(c) Council Retreat

Manager Gerrish stated that this years Council retreat is tentatively scheduled for Saturday, January 5th and will include the two new Councilors who will be sworn in on January 7.th

(d) Downtown Master Plan

Mathew Eddy advised that the committee is holding design workshops and a development series on public improvements.

Chair King will start working on staffing this committee through committee appointments.

(e) Safety Enhancement Grant

Assistant Manager Gary Brown explained that there are two safety grants. One is for a Fire Department Security Camera and the second is for three ergonomic chairs in the Dispatch office of the Police Department.

Councilor Augur moved, Councilor Sartoris seconded, to accept and expend the Safety Enhancement Grants. The motion carried with (9) yeas.

(f) State of Maine Homeland Security Grant

Chief Labbe said this grant would be administered on a reimbursement basis. The amount of \$29,340.00 would be used toward management exercise, replacing the message sign board, assisting with the emergency plan update, and training specific to response team members.

Councilor Favreau moved, Councilor Watson seconded, to apply for the State of Maine Homeland Security Grant. The motion carried with eight (8) yeas. Opposed: Councilor Sartoris.

Councilor Sartoris thinks grants have not been handled well nationally. She thinks it is poor public policy the way funds are distributed.

(g) Community Development Block Grant

Mathew Eddy is requesting Community Development Block Grant funds for Maine Street Station.

Councilor Watson moved, Councilor Daughtry seconded, to apply for a Community Development Block Grant for the Maine Street Station project. The motion carried with nine (9) yeas.

Manager Gerrish asked for volunteers to assist on the Towing Committee. Councilor Knight and Chair King volunteered to assist on this committee.

Councilor Augur spoke with different towing company owners who believe there is strong support from the Council to address the issue of one person owning four companies and claiming four rotations.

Chair King advised that Councilors received an e-mail regarding animals running free at Mere Point Boat Launch. She reminded pet owners that they are responsible to keep their animal under control at all times.

Manager Gerrish wants the public to know that trash or recycling will not be collected on Thanksgiving Day and a make up day will be on Saturday. Graham Road Landfill will reopen on Tuesday.

147. The Town Council will hear public comments on an amendment to the Traffic and Vehicle Ordinance, Chapter 14, Section 15-73, concerning overnight parking from November 15 to April 15, and will take any appropriate action.

Manager Gerrish said that Portland, Bangor, Saco, Gorham, and Fairfield have been contacted to see how they handle this issue.

(A Copy of the Town's response will be attached to the official minutes)

Councilor Sartoris feels that she has not had sufficient time to study this item and she would like to see this item come back after reviewing all the comments.

Chair King is concerned with postponing this, which she thinks adds to more confusion with the citizens.

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Councilor Augur agrees with Councilor Sartoris that he needs more time to study this item.

Councilor Schneider is against this at this time and thinks it should be left as is.

Councilor Knight thinks more information is needed. She wants to repeal this ordinance.

Councilor Webb is not comfortable acting on this item at this time. People who frequent drinking establishments may want to leave their vehicle overnight. He would like this item tabled to the next meeting.

Councilor Daughtry would like to table this item until she has more information. She is concerned for renters downtown who pay for off street parking.

Councilor Favreau stated that his primary concern is for Public Works to have access to roads for cleanup.

Councilor Watson moved, Councilor Daughtry seconded, to table this item until the December 3, 2007 Council meeting. The motion carried with nine (9) yeas.

165. The Town Council will consider setting a public hearing on the proposed Comprehensive Plan Update, and will take any appropriate action.

Chair King is sponsoring this item, she advised that the proposed business park is the largest issue in the Comprehensive Plan.

Councilor Webb thinks a workshop is needed before the Comprehensive Plan goes to a public hearing.

Councilor Sartoris offered that she would attend a meeting after she leaves the Council to give her input on the Comprehensive Plan, if needed.

Councilor Knight also supports a public workshop.

Councilor Augur said the State requires the Comprehensive Plan to be updated every ten years. The last time Brunswick's was updated was over fourteen years ago.

Chair King also agrees that a public workshop is a good idea.

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Public comment:

Carol O'Donnell, Maine Street, wants to know if there is a way to split up the discussion of the Comprehensive Plan so that on one item on the plan is the main topic of discussion.

Councilor Sartoris feels that we should put this off until the new Planning Director comes on board.

Councilor Favreau moved, Councilor Schneider seconded, to table this item until first of the new year. The motion carried with nine (9) yeas.

166. The Town Council will discuss changes to the Zoning Ordinance language relative to definitions of family units for rental property, and will take any appropriate action.

Councilor Augur advised that he does not have the language for this item at this time and would like to take it off this agenda until the language is determined.

Councilor Augur moved, Councilor Sartoris seconded, to table this item until the December 3rd meeting. The motion carried with nine (9) yeas.

167. The Town Council will discuss the Council Rules of Order relative to Public Comment, and will take any appropriate action.

Councilor Watson requested that this be part of the agenda for the Council retreat in January.

Attorney Pat Scully gave an overview on public comment and the role of the Council. He advised that Council has the authority to amend guidelines and tell the citizens what behaviors are allowable during public comment.

Carol O'Donnell, Maine Street commended Councilor Webb on his suggestion for ways to have dialog with public.

Cathy Eastman, Merryman Lane, mentioned that Title 38 should be looked at by the Town.

Chair King expressed that constituents should call her on the phone if they have problems or questions.

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Karen Klatt, Moody Road stated that The Town of Brunswick is not being managed properly. She ran for Council because the current Council does nothing about citizen problems.

Councilor Augur asked that consideration be given to moving the public comment period to the end of the meeting.

Councilor Daughtry agrees with Councilor Augur. She would like to move the public comment period to the end of the meeting.

Chair King stated that if the public comment period is changed, it will require a major change in the rules of order.

Manager Gerrish advised that the Council needs to discuss this and make changes that need to be made.

Chair King stated that the Council meets every-other Monday to conduct business. Public comment has not been used the way it should be used at these meetings. The Council has an agenda to take care of and it may not be out of the question to abolish public comments from the meetings. The Council will discuss this at their retreat in January.

168. The Town Council will consider approval of an additional card game for Evergreen Senior Citizens Club, and will take any appropriate action.

Manager Gerrish advised that the State of Maine made a law change to allow Texas Hold- Em card games. The State reviewed the Evergreen's license and found that Town approval was for sealed tickets and games of chance and not Texas Hold-Em.

Councilor Sartoris moved, Councilor Augur seconded, to approve the Texas Hold-Em Card game for Evergreen Senior Citizens Club. The motion carried with eight (8) yeas. Opposed: Councilor Schneider.

Consent Agenda

Councilor Watson moved, Councilor Daughtry seconded, to approve the consent agenda. The motion carried with eight (8) yeas. Opposed: Councilor Schneider.

Councilor Favreau moved, Councilor Augur seconded, to go into executive session pursuant to 1 M.R.S.A. § 405(6)(A). The motion carried with nine (9) yeas.

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

Patricia A. Foley
Executive Administrative Assistant
November 19, 2007

December 17, 2007
Date of Approval

Council Chair