

Approved
BRUNSWICK TOWN COUNCIL
Minutes
February 4, 2013
7:00 P.M.
Municipal Meeting Room
Brunswick Station
16 Station Avenue

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

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to the Town Manager; John Eldridge, Finance Director; Tom Farrell, Parks and Recreation Director; Anna Breinich, Director of Planning and Development; Ken Brilliant, Fire Chief; Dan Devereaux, Marine Resource Officer; Russ Wrede, Police Sergeant; and TV video crew

Chair Wilson called the meeting to order, led the Pledge of Allegiance and asked the Town Clerk for Roll Call.

Public Comment:

Jim Friedlander spoke regarding a rule that prohibits the Council from taking action on items outside of the town, involving State or Federal government.

LeonThayer spoke on clean energy projects.

Margie Greenhut asked that smaller garbage bags be considered.

Correspondence:

Councilor Perreault spoke on behalf of some Bouchard area residents regarding the idling of the train near their neighborhood. Manager Brown responded by providing information he received from Patricia Quinn of NNEPRA.

Councilor Brayman inquired about the Council agenda not being in the Times Record. Fran Smith, Town Clerk, responded.

Adjustments to the Agenda:

To add item 15 regarding a resolution authorizing the Town Treasurer to waive foreclosure on certain real estate tax lien mortgages.

To move Item 13 after the public hearing.

MANAGER'S REPORT:

(a) Council Committee Updates

Reports were given on the following committees: Downtown and Outer Pleasant Street Corridor Master Plan Implementation Committee, Recycling and Sustainability Committee, Recreation Trails and Open Space Committee, and the MMA Legislative Policy Committee.

Alex Anesko, Chair of the Recycling and Sustainability Committee, provided a report on this committee's activities. He responded to questions from Councilor Favreau.

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

(b) Report from the Marine Resource Committee requesting the authority to open and close coastal waters (*Action required*)

Chair Wilson moved, Councilor Tucker seconded, to authorize the Marine Resource Committee to open and close coastal waters per Chapter 11, Marine Activities Structures and Ways, Section 11-161 Opening and Closing of Coastal Waters. The motion carried with nine (9) yeas.

(c) Acceptance of funds from New England Amateur Radio Festival (*Action required*)

Chief Brilliant spoke regarding this item. He responded to questions from Councilor Brayman.

Councilor Favreau spoke regarding this item.

Councilor Watson moved, Councilor Favreau seconded, to accept and expend funds in the amount of \$4,100 from the New England Amateur Radio Festival to purchase equipment on behalf of the CERT/ARES Team. The motion carried with nine (9) yeas.

(A copy of the funding request submitted to NEAR-Fest and a list of the equipment they intend to purchase will be attached to the official minutes.)

PUBLIC HEARINGS

9. The Town Council will hold a public hearing on the following Alcoholic Beverage license, and will take any appropriate action. (Manager)

Full-Time Spirituous, Vinous & Malt
Trattoria Athena, LLC
D/B/A: Enoteca Athena
97 Maine Street

Timothy O'Brien & Marc Provencher

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

Councilor Knight moved, Councilor Brayman seconded, to approve an Alcoholic Beverage license for Enoteca Athena, located at 97 Maine Street. The motion carried with nine (9) yeas.

NEW BUSINESS

Item 13 was taken up prior to Item 10.

10. **The Town Council will update the public on the nominee selection process for the MRRRA Board, and will determine if any action is necessary. (Chair Wilson and Councilor Knight)**

Councilor Knight introduced this item.

Councilor Favreau, Councilor Richardson, Councilor Perreault, Councilor Tucker, and Chair Wilson spoke regarding this item.

11. **The Town Council will consider authorizing the Town to seek bids for activities and items relative to the development of the Dog Park, and will take any appropriate action. (Councilor Favreau)**

Councilor Favreau introduced this item.

Councilor Perreault asked questions, to which Manager Brown responded.

Sally Loving, BARK (Brunswick Area Recreation for Kanines), spoke regarding this item and responded to questions from Councilor Pols and Councilor Brayman.

Councilor Favreau moved, Councilor Tucker seconded, to authorize the Town to seek bids for activities and items relative to the development of the Dog Park. The motion carried with nine (9) yeas.

(A copy of a memo from Manager Brown and one from the Recreation Commission will be attached to the official minutes.)

12. **The Town Council will consider requesting that the Planning Board review changes to the Zoning Ordinance regarding amending the MU3 column of "Table 206.1 Use Table" to change Residence Hall from a prohibited use (X) to a permitted use (P), and will take any appropriate action. (Councilor Favreau)**

Councilor Favreau introduced this item.

Councilor Brayman, Councilor Perreault, Councilor Pols, and Councilor Perreault spoke regarding this item.

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Anna Breinich, Director of Planning and Development, responded to questions from Councilor Brayman, Councilor Knight, and Councilor Perreault.

Councilor Pols asked a question, to which **Catherine Longley** from Bowdoin College responded.

Councilor Favreau moved, Councilor Richardson seconded, to request the Planning Board review changes to the Zoning Ordinance regarding amending the MU3 column of “Table 206.1 Use Table” to change Residence Hall from a prohibited use (X) to a permitted use (P). The motion carried with eight (8) yeas. Councilor Perreault was opposed.

13. **The Town Council will consider adopting the “Resolution Supporting an Amendment to the United States Constitution to Provide that Corporations are not Entitled to the Rights of Natural Persons with Regard to the Expenditure of Money to Influence Elections,” and will take any appropriate action. (Councilor Brayman and Councilor Richardson)**

Councilor Richardson moved, Councilor Brayman seconded, to adopt the “Resolution Supporting an Amendment to the United States Constitution to Provide that Corporations are not Entitled to the Rights of Natural Persons with Regard to the Expenditure of Money to Influence Elections” and to request the Clerk read the resolution.

Councilor Richardson spoke regarding this item.

Councilor Brayman provided a petition from citizens and asked that it be attached to the resolution.

Clerk Smith read the draft resolution.

The following people spoke regarding this item.

Steve Kercel

Julie Pease, 13 Chestnut Street

Leon Thayer, Mere Point Road

Chair Wilson opened the floor to Councilors to speak on the issue.

Councilor Tucker, Councilor Pols, Councilor Perreault, Councilor Favreau, Councilor Knight, Councilor Watson, and Chair Wilson spoke regarding this item.

Vote on the motion:

Councilor Richardson moved, Councilor Brayman seconded, to adopt the “Resolution Supporting an Amendment to the United States Constitution to Provide that

Corporations are not Entitled to the Rights of Natural Persons with Regard to the Expenditure of Money to Influence Elections” and to request the Clerk read the resolution. The motion carried with six (6) yeas. Councilor Watson, Councilor Favreau, and Chair Wilson were opposed.

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

The citizen petition will be filed in the Town Clerk’s office, attached to the adopted resolution.

14. **The Town Council will discuss resumption of the TIF programs with the Midcoast Regional Redevelopment Authority and will determine if any action is required. (Chair Wilson)**

Chair Wilson introduced this item.

There was a consensus to have negotiations with MRRA begin again, with Councilor Tucker and Councilor Richardson as the Council representatives.

15. **(ADDED) The Town Council will consider a Resolution authorizing the Town Treasurer to waive foreclosure on certain real estate tax lien mortgages, and will take any appropriate action. (Manager)**

John Eldridge, Finance Director, spoke regarding this item.

Councilor Tucker moved, Councilor Watson seconded, to adopt a “Resolution authorizing the Town Treasurer to waive foreclosure on certain real estate tax lien mortgages” and waive the reading of the resolution. The motion carried with nine (9) yeas.

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

CONSENT AGENDA

- (a) **Approval of the Minutes of January 22, 2013**

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

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

The meeting adjourned at 9:10 p.m.

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

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Frances Smith
Town Clerk/Assistant to the Town Manager
February 5, 2013

February 19, 2013
Date of Approval

Council Chair