

**-Approved**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**July 29, 2013**  
**6:30 P.M. – Regular Meeting**  
**Municipal Meeting Room**  
**Brunswick Station**  
**16 Station Avenue**

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

**Councilors Absent:** Councilor Benjamin J. Tucker

**Town Staff Present:** Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to the Town Manager; John Eldridge, Finance Director; Anna Breinich, Director of Planning and Development; Ken Brilliant, Fire Chief; Denise Clavette, Business Development Manager; Joel Bruce, Police Sergeant; and TV video crew.

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

**Public Comment:**

**Leon Thayer**, 91 Pleasant Street, spoke on the status of the Police Station and thanked those who serve our country in the military.

**Correspondence:**

Councilor Perreault announced a meeting of the Train Layover Facility advisory group on Tuesday.

Councilor Favreau said the Sewer District will be providing the Council with a tour on August 15, 2013, at 3:00 p.m.

Councilor Watson read a Proclamation from the Governor regarding the soldiers who served in the Korean War. He spoke about the Gold Star representing those who gave their lives.

Councilor Brayman spoke about having temporary speed bumps on Longfellow Avenue, and stated that public comments are allowed on all items that are on the agenda.

**Adjustments to the Agenda:** None

**MANAGER'S REPORT:**

**Town Council Minutes**

**July 29, 2013**

**Page 2**

**(a) Council Committee Updates**

Reports were given on the Downtown and Outer Pleasant Street Master Plan Implementation Committee and formation of a redistricting subcommittee.

**(b) MMA Annual Election of Vice President and Executive Board (*Action Required*)**

**Councilor Perreault moved, Councilor Watson seconded, to approve the slate of nominations for the MMA Vice President and Executive Committee Members as presented on the voting ballot. The motion carried with eight (8) yeas.**

*(A copy of the ballot will be attached to the official minutes.)*

**(c) Report on the Marketing Brunswick Initiative (*Action Required*)**

**Debora King**, BDA Executive Director, and **Denise Clavette**, Business Development Manager, spoke regarding this item.

Councilor Knight, Councilor Favreau, Councilor Perreault, Councilor Brayman, and Councilor Watson spoke regarding this item.

**Councilor Watson moved, Councilor Favreau seconded, to endorse the Marketing Brunswick Initiative's outcome and support its use by the community and the Town. The motion carried with seven (7) yeas. Councilor Pols was opposed.**

*(A copy of a memo from Ms. Clavette and other supporting materials will be attached to the official minutes.)*

**(d) Update on the Police Station**

Manager Brown spoke regarding this item and responded to a question from Councilor Pols.

**(e) (ADDED) Sergeant Joel Bruce retiring**

Manager Brown recognized Sergeant Bruce for his service to this community.

**PUBLIC HEARINGS**

**85. The Town Council will hold a public hearing on an application for a special amusement license, and will take any appropriate action. (Manager)**

**Special Amusement**  
**Jimbo's Catering**  
**D/B/A: 1898 Bar & Grill**

**James Gallant**

**165 River Road**

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

**Councilor Perreault moved, Councilor Watson seconded, to approve a renewal application for a special amusement license for Jimbo's Catering, located at 165 River Road. The motion carried with eight (8) yeas.**

**86. The Town Council will hear public comments on a MRRA TIF for the Executive Airport, and will take any appropriate action. (Councilor Tucker and Councilor Richardson)**

Councilor Richardson spoke regarding this item. He was glad the Town and MRRA are at this point, and hopes the Council will approve the TIFs. They provide a chance for the Town and MRRA to work in a partnership, and to send a strong message that both parties are working together to help redevelop the base. MRRA will be able to do their infrastructure, which will assist in attracting businesses to the base. Plus, the Town will be able to receive revenues to be used similar to the uses outlined in the Molnlycke TIF, as well as use for school debt service. Quality schools will help MRRA market the base property to businesses. The TIFs provide a chance to improve on the Town's schools and will help with success at the base. He thanked the MRRA board and staff for their work on the TIFs.

Chair Wilson opened the public hearing.

**John Peters**, Chair of MRRA Board, spoke in support of the TIFs. The MRRA board enthusiastically supports both TIF applications. The establishment of the districts will help both the Town and MRRA, and this is a unique opportunity to generate property tax revenues. Since the closing of the base, MRRA has become the third largest taxpayer in Brunswick, and they are also the master developer for the base, also including maintaining the streets and utility systems. Many of them are old and need to be updated; MRRA needs revenues to assist in these upgrades. They plan to resurface roadways, replace street lights, and upgrade water and sewer systems. They have identified \$77 million of capital projects over the next five years. Without the TIFs resources, these improvements would be delayed, which would delay redevelopment and creation of new tax revenue. They hope to get \$12 million in TIF revenues. He urged the Council to approve these TIFs.

[Editor's Note: MRRA is a tax-exempt entity, but MRRA collects tax payments from its lessees and then pays the collected taxes to the town.]

**Sandra Updegraph**, 724 Durham Road and MRRA board member, spoke in support of the TIFs and spoke on the process that this negotiating committee went through to arrive at this conclusion. She was honored to be appointed to this committee, all of whom worked well together. This was a turning point in MRRA's relationship with the Town, with Brunswick Landing becoming part of the community. She thanked the Council for their efforts and urged them to support these two TIF programs.

**Steve Weems**, 44 Thompson Street and MRRA board member, spoke in support of the TIFs. He is speaking as a resident and as someone who has worked for economic development in Brunswick. He reiterated MRRA's unconditional support of these programs. As a Brunswick resident and taxpayer, he feels they are great deals for the Town and MRRA. The base redevelopment success is fully dependent on quality of life, including schools and other aspects of life in Brunswick. It is an investment in the Town and it is an outstanding financial deal. He provided numbers regarding what the 30 year projection for the TIF numbers are based on, which are conservative, with no new valuation after year seven. Over 30 years \$51 million dollars of new tax revenues will be generated for Brunswick, with the Town receiving \$26 million. All uses of MRRA funds require Council approval. Most of the infrastructure are utility and roads, which are normally either the Town or the utility's responsibility, but is MRRA's instead.

**Leon Thayer**, 91 Pleasant Street, asked how much of TIF would be used for things like bio plants and other uses.

Chair Wilson closed the public hearing.

**Councilor Richardson moved, Councilor Watson seconded, to adopt "Town Council Resolution - Adopting the Development Program for the Brunswick Executive Airport Municipal Development and Tax Increment Financing District."**

Councilor Richardson thanked the staff, who played a critical role in this item. After the approval, it will be the professional staff who will work with MRRA to determine their needs. He urged support for this vote to assist MRRA with their infrastructure needs. MRRA's success is the Town's success and vice versa. In the end, the story that will be told is that the Town and MRRA took a major step to assist in the redevelopment of the base and increase the economic development vitality of this Town. The Town can partner with MRRA to move forward. The process still includes approval by the Commissioner of the Department of Economic Development.

Councilor Perreault asked if there was conditional support for the school debt service payment. Councilor Richardson responded the Commissioner indicated there was support for this to be included, pending a review of the final language submitted to DECD.

Councilor Perreault asked if the citizen's letter claiming that any Town activity with MRRA is illegal is not accurate. Manager Brown indicated that the claim has been reviewed by the Town Attorney and Attorney General and they determined it had no merit.

Councilor Brayman spoke in support of the TIFs and thanked all on the negotiating committee for their hard work. It is a careful balance to meet all the many needs the Town has in this difficult budget time, and it will promote growth at the base. She asked if any changes in language need to come back to Council. Manager Brown responded that substantive changes do come back, with the Manager having the authority on minor administration things.

**Town Council Minutes**

**July 29, 2013**

**Page 5**

Shana Cook Mueller, Bernstein Shur, attorney representing the Town, agreed with Manager Brown.

Councilor Perreault said MRRA will come before the Town to request what they want to spend funds on. The Council can say “no” to a request if they do not agree with its use.

Councilor Richardson agreed with this, and added when they come to the Council, it gives MRRA a chance to tell their story, and both sides can embrace this collectively.

Councilor Favreau asked a question about what the difference is between the two TIFs, to which Councilor Richardson responded it is geography.

Manager Brown said the Town will still receive an advantage on school valuation formula and revenue sharing funding formula shifts by doing the TIFs.

Councilor Knight asked if there is a limitation on the geographic area a town can shelter under TIFs. Manager Brown responded the Town has plenty of capacity with 2.85% of town’s property in TIFs, which is just over half of the 5% allowed.

Councilor Watson spoke regarding this item. With these TIFs, it brings MRRA and the Town together and creates a community.

**Vote on motion:**

**Councilor Richardson moved, Councilor Watson seconded, to adopt “Town Council Resolution - Adopting the Development Program for the Brunswick Executive Airport Municipal Development and Tax Increment Financing District.” The motion carried with eight (8) yeas.**

*(A copy of the adopted Application for a Municipal Development and Tax Increment Financing District will be attached to the official minutes.)*

**87. The Town Council will hear public comments on a MRRA TIF for Brunswick Landing, and will take any appropriate action. (Councilor Tucker and Councilor Richardson)**

Chair Wilson spoke on behalf of Councilor Tucker, who was unable to make it tonight. He asked her to share that he urged the Council to vote for the TIFs and expects them to be approved by the Commissioner, since both sides worked together on them. He added if the programs come back with any substantive changes they will come back to the Council for their approval.

Chair Wilson opened the public hearing.

**Leon Thayer**, 91 Pleasant Street, asked how much of Brunswick Landing will be industrial and how much residential.

Chair Wilson closed the public hearing.

**Councilor Richardson moved, Councilor Favreau seconded, to adopt “Town Council Resolution - Adopting the Development Program for the Brunswick Landing Municipal Development and Tax Increment Financing District.”**

Councilor Richardson responded to Mr. Thayer’s question from the last item. The Town does not know at this point what MRRA will ask for, but expects it to be infrastructure or some other creative project. MRRA makes the decisions on what they will be requesting from the Council.

Councilor Favreau spoke regarding this item. He thanked all those involved in negotiations and the MRRA Board. He cannot wait to see the development continue on the base.

**Vote on motion:**

**Councilor Richardson moved, Councilor Favreau seconded, to adopt “Town Council Resolution - Adopting the Development Program for the Brunswick Landing Municipal Development and Tax Increment Financing District.” The motion carried with eight (8) yeas.**

Chair Wilson spoke regarding this item and said at a future meeting she is going to be appointing a three member Council subcommittee to review MRRA’s requests.

Councilor Pols asked how long will it take for approval of the TIFs. Councilor Richardson, Manager Brown, and Ms. Cook Muller felt it would be relatively quickly.

*(A copy of the adopted Application for a Municipal Development and Tax Increment Financing District will be attached to the official minutes.)*

**88. The Town Council will hear public comments on budget amendments to the 2013-14 Municipal budget, and will take any appropriate action. (Manager)**

Chair Wilson opened the public hearing.

The following people spoke regarding this item:

**Jane Millett**, 10 Franklin Street

**Ed Blot**, 12 High Street

Chair Wilson closed the public hearing.

Councilor Pols, Councilor Richardson, Councilor Knight, Councilor Favreau, and Councilor Watson spoke regarding this item.

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

**TABLED ITEM**

- 84. The Town Council will consider endorsing the Route 24 Corridor Plan, and will take any appropriate action. (Councilor Knight)**

Councilor Knight spoke regarding this item.

Councilor Perreault asked questions, to which Councilor Knight responded.

**Councilor Knight moved, Councilor Richardson seconded, to endorse the Route 24 Corridor Management Plan, dated June 27, 2013, in support of the contained findings and recommendations. The Town of Brunswick will work with MaineDOT, the Midcoast Council of Governments and participating towns to support the plan's implementation as funding becomes available. The motion carried with eight (8) yeas.**

*(A copy of the endorsed plan will be attached to the official minutes.)*

**NEW BUSINESS**

- 89. The Town Council will consider approving the selection of the Construction Manager and Architectural firm for the new Town Hall renovation project at McLellan Building, and will take any appropriate action. (Councilor Watson, Councilor Favreau, and Councilor Knight)**

**Dana Bateman**, 13 Franklin Street, and **Jane Millett**, 10 Franklin Street, spoke regarding this item.

Councilor Knight, Councilor Favreau, and Councilor Watson spoke regarding this item.

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

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

Councilor Richardson asked a question, to which Councilor Favreau responded.

Manager Brown spoke regarding this item.

**Councilor Knight moved, Councilor Favreau seconded, to authorize the Town Manager to enter into an agreement with Warren Construction Group to provide Construction Manager services for the Town Hall renovation project at the McLellan Building. The motion carried with seven (7) yeas. Councilor Perreault was opposed.**

**Councilor Knight moved, Councilor Watson seconded, to authorize the Town Manager to enter into an agreement with Scott Simons Architects to provide architectural services for**

**the Town Hall renovation project at the McLellan Building. The motion carried with seven (7) yeas. Councilor Perreault was opposed.**

90. The Town Council will consider a request for Sellers of Prepared Food on Public Ways for outdoor seating for Frosty's Donuts, and will take any appropriate action. (Manager)

**Councilor Favreau moved, Councilor Perreault seconded, to approve a license for Seller of Prepared Food on Public Ways on a Sidewalk for Frosty's Donuts, located at 54 Maine Street. The motion carried with eight (8) yeas.**

91. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Appointments Committee)

Councilor Watson nominated the following people:

Earle Harvey for reappointment to the Sewer District Board of Trustees

Steven Garrett for reappointment to the ZBA

Claude Philippon for reappointment to the Water District

Don Kniseley for reappointment to the Davis Fund

The Council voted eight (8) yeas to reappoint these people to serve on their respective Boards.

Councilor Watson nominated the following people for the Recreation Commission, with the Appointment Committee wishing to fill 3 of the 4 spots.

Jeff Ward

Daniel Ankeles

Tammy Dostie-Gray

Councilor Perreault nominated Rebecca Banks for the last opening.

The Council voted:

Jeff Ward received seven (7) votes and was appointed.

Daniel Ankeles received eight (8) votes and was appointed.

Tammy Dostie-Gray received eight (8) votes and was appointed.

Rebecca Banks received three (3) votes but did not receive the five (5) that are required for appointment.

### **CONSENT AGENDA**

**(a) Approval of the Minutes of July 15, 2013**

**(b) Approval of Gas utility location permit applications for MacMillan Drive, Colonial Drive, and Richards Drive**

**(c) Approval of Post Issuance Compliance Policy**

Councilor Brayman spoke regarding this item.

Councilor Perreault and Councilor Knight asked questions, to which Manager Brown and John Eldridge responded.

**Councilor Favreau moved, Councilor Richardson seconded, to approve the Consent Agenda. The motion carried with eight (8) yeas.**

*(Copies of materials for CA-B and CA-C will be attached to the official minutes.)*

**Councilor Watson moved, Councilor Favreau seconded, to adjourn the meeting. The motion carried with eight (8) yeas.**

The meeting adjourned at 9:47 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT [WWW.BRUNSWICKME.ORG](http://WWW.BRUNSWICKME.ORG).**

*Frances Smith  
Town Clerk/Assistant to the Town Manager  
August 6, 2013*

September 3, 2013  
*Date of Approval*

---

*Council Chair*