

**Adopted
BRUNSWICK TOWN COUNCIL
Minutes
May 16, 2016
7:00 P.M.
Council Chambers
Town Hall
85 Union Street**

Councilors Present: W. David Watson, Stephen S. Walker, Suzan Wilson, John M. Perreault, Jane F. Millett, Sarah E. Brayman, Kathy Wilson, and Alison Harris

Councilors Absent: Councilor Daniel E. Harris

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Derek Scrapchansky, Assistant Town Manager; Linda Smith, Business Development Manager; John Foster, Public Works Director; Tom Farrell, Parks and Recreation Director; Jeff Hutchinson, Codes Enforcement Officer; Jared Woolston, Town Planner; Marc Hagan, Police Commander; Aaron Bailey, Police Officer; and TV video crew

Chair Brayman called the meeting to order, asked for roll call, and acknowledged that the meeting was properly noticed.

Chair Brayman led the Pledge of Allegiance.

Adjustments to Agenda: None

CONSENT AGENDA *(This item was discussed at 7:02 p.m.)*

- a) **Approval of the minutes of May 2, 2016**
- b) **Approval of a tax abatement relative to a property identified as Map 4 Lot 37**
- c) **Approval of a tax abatement relative to personal property for Belle Fete LLC**
- d) **Approval of a request from the Brunswick Downtown Association to hold their annual Outdoor Arts Festival on August 20, 2016, and to waive the \$500 fee**
- e) **Approval of a request from Brunswick Downtown Association to hold a Community Barbecue on the Town Mall on June 25, 2016, and to waive the \$500 fee**

Councilor Perreault moved, Councilor Millett seconded, to approve the Consent Agenda. The motion carried with eight (8) yeas.

(A copy of materials for CA-b, CA-c, CA-d, and CA-e will be attached the official minutes.)

Public Comments *(This item was discussed at 7:04 p.m.)*

Stephen Loebs, 25 Monument Lane, spoke regarding his positive experience with the Planning Department when building his new home.

(A copy of Mr. Loeb's statement will be attached the official minutes.)

Tasha Connors, Memorial Day Parade Committee Chair, spoke regarding the upcoming Memorial Day Parade.

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Correspondence: *(This item was discussed at 7:11 p.m.)*

Councilor Perreault spoke regarding his conversation with a resident about how tree cutting contracts for Town trees are awarded. Tom Farrell, Parks and Recreation Director, responded. Councilor Perreault also said he received complaints about traffic signals on Pleasant Street being on red even when there is no traffic coming from the other direction. He also apologized to Jean Powers for forgetting to bring her email that he told her he would read at this meeting.

Chair Brayman read an email from a resident who would like to see vehicle registration reminders once again be mailed out.

COMMITTEE REPORTS *(This item was discussed at 7:20 p.m.)*

- **Cable TV Committee**
- **MPIC**
- **Teen Center Advisory Committee**

Reports were given on the above committees.

MANAGER'S REPORT

a) Financial update *(This item was discussed at 7:25 p.m.)*

Manager Eldridge provided this update.

b) Revaluation update *(This item was discussed at 7:26 p.m.)*

Manager Eldridge provided this update.

c) Update on the Maine Natural Gas rate case *(This item was discussed at 7:28 p.m.)*

Manager Eldridge provided this update.

d) Special Permit for Wildflours Gluten-Free Bakery *(This item was discussed at 7:31 p.m.)*

Manager Eldridge provided this update.

Councilor K. Wilson spoke regarding this item.

(A copy of a memo and the Special Permit will be attached to the official minutes.)

e) (ADDED) Internet sales exchange area available at the Police Station *(This item was discussed at 7:32 p.m.)*

Marc Hagan, Police Commander, spoke regarding this item.

PUBLIC HEARING

53. **The Town Council will hear public comments on a special amusement license application, and will take any appropriate action. (Manager)** *(This item was discussed at 7:34 p.m.)*

Special Amusement

BATS LLC

Timothy Troy Kavanaugh

D/B/A: McAvoy's On The Green

165 River Road

Chair Brayman opened the public hearing.

Fran Smith, Town Clerk, spoke on this item, and responded to a question from Councilor Perreault.

Chair Brayman closed the public hearing.

Councilor Perreault moved, Councilor Millett seconded, to approve a special amusement license application for McAvoy's On The Green, located at 165 River Road. The motion carried with eight (8) yeas.

54. **The Town Council will hear public comments for "An Ordinance Authorizing the Removal and Replacement of Exterior Trim Elements of the Brunswick Town Hall, with Total Project Costs Not to Exceed \$200,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$200,000 (plus cost of issuance), plus any Additional Appropriation Authorized Hereunder," and will take any appropriate action. (Manager)** *(This item was discussed at 7:40 p.m.)*

Chair Brayman opened the public hearing.

Manager Eldridge introduced this item and responded to questions from Councilor Millett.

Councilor Perreault disclosed that he might be bidding on this project.

Chair Brayman closed the public hearing.

Councilor S. Wilson moved, Councilor Millett seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion received five (5) yeas. Councilor Walker, Councilor Perreault, and Chair Brayman were opposed. Since the yeas were not 2/3 of the Council, the motion failed.

NEW BUSINESS

55. **The Town Council will consider recommendations from the Nathaniel Davis Fund Committee, and will take any appropriate action. (Manager)** *(This item was discussed at 7:45 p.m.)*

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John Donovan, Chair of the Davis Fund Committee, made this presentation, and responded to questions from Councilor Perreault.

Councilor Millett spoke regarding this item.

Councilor Perreault moved, Councilor Millett seconded, to accept the recommendations for the Davis Fund's 2015-2016 allocations as recommended by the Committee. The motion carried with eight (8) yeas.

(A copy of the committee minutes with recommendations will be attached to the official minutes.)

- 56. The Town Council will consider setting a public hearing for June 6, 2016, on amendments to the Zoning Ordinance relative to Chapter Four (Development Review), Sections 401 (Applicability) and 402 (Development Review Classifications and Thresholds to Require Review of Filling and Earthmoving Activities within the NRPZ) on an emergency and regular basis, in addition to repealing the Moratorium on New Development in the Natural Resource Protection Zone as part of this public hearing, and will take any appropriate action. (Planning Board) (This item was discussed at 7:55 p.m.)**

Manager Eldridge introduced this item.

Jared Woolston, Town Planner, made a presentation regarding this item. He responded to questions from Councilor Walker, Councilor Millett, Councilor Perreault, Councilor S. Wilson, and Chair Brayman.

Manager Eldridge spoke regarding this item.

Councilor Perreault, Councilor Walker, and Councilor S. Wilson spoke regarding this item.

Jeff Hutchinson, Codes Officer, responded to questions from Councilor Millett and Councilor Walker.

Bruce Myer, 521 Gurnet Road, spoke regarding this item.

MOTION:

Councilor Perreault moved, Councilor Watson seconded, to set a public hearing for June 6, 2016, on amendments to the Zoning Ordinance relative to Chapter Four (Development Review), Sections 401 (Applicability) and 402 (Development Review Classifications and Thresholds to Require Review of Filling and Earthmoving Activities within the NRPZ), on an emergency and regular basis, and to repeal the Moratorium on New Development in the Natural Resource Protection Zone as part of this public hearing.

Councilor Perreault and Councilor Millett spoke regarding the motion.

VOTE ON MOTION:

Councilor Perreault moved, Councilor Watson seconded, to set a public hearing for June 6, 2016, on amendments to the Zoning Ordinance relative to Chapter Four (Development Review), Sections 401 (Applicability) and 402 (Development Review Classifications and Thresholds to Require Review of Filling and Earthmoving Activities within the NRPZ), on an emergency and regular basis, and to repeal the Moratorium on New Development in the Natural Resource Protection Zone as part of this public hearing. The motion carried with eight (8) yeas.

57. The Town Council will consider “A Resolution Expressing the Town Council’s Support for the Maine Department of Transportation’s Proposal to Replace the Frank J. Wood Bridge,” and will take any appropriate action. (Manager) *(This item was discussed at 9:06 p.m.)*

Manager Eldridge introduced this item and responded to questions from Councilor Walker and Councilor Watson.

Councilor A. Harris, Councilor S. Wilson, and Councilor Perreault spoke regarding this item.

Councilor Millett moved, Councilor A. Harris seconded, to adopt “A Resolution Expressing the Town Council’s Support for the Maine Department of Transportation’s Proposal to Replace the Frank J. Wood Bridge.” (No vote taken as tabling motion put forth.)

Councilor A. Harris, Councilor S. Wilson, and Councilor Perreault spoke regarding this item.

Public comments:

James Phinney Baxter White, Bridge Street, Topsham

Bruce Myer, 521 Gurnet Road *(A copy of his statement will be attached to the official minutes.)*

George Gilmore, Middle Bay Road

Richard Fisco, 2 Lincoln Street

Cathy Lamb, 331 Bunganuc Road

Steve Stern, 295 Bunganuc Road

Chair Brayman moved, Councilor Watson seconded, to table this item until the next meeting on June 6th.

Chair Brayman, Councilor Walker, Councilor Millett, Councilor S. Wilson, and Councilor Perreault spoke to the tabling motion.

VOTE ON TABLING MOTION:

Chair Brayman moved, Councilor Watson seconded, to table this item until the next meeting on June 6th. The motion carried with seven (7) yeas. Councilor K. Wilson was opposed.

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- 58. The Town Council will discuss the Municipal Budget and provide direction as to the final budget goal, and no action will be required. (Manager) (This item was discussed at 9:56 p.m.)**

Manager Eldridge made a presentation on where the budget is and responded to a question from Councilor Perreault.

Councilor S. Wilson asked questions, to which Julie Henze responded.

Councilor Millett, Councilor K. Wilson, Councilor Perreault, Councilor Walker, Councilor S. Wilson, Chair Brayman, and Councilor A. Harris spoke regarding this item.

Manager Eldridge spoke and responded to questions from Councilor Watson.

Public comments:

Richard Fisco, 2 Lincoln Street

Councilor Millett moved, Councilor K. Wilson seconded, to reduce the School Department's budget an additional \$85,000, to be used to reduce the tax rate.

Councilor Watson, Councilor Millett, Councilor K. Wilson, and Councilor Perreault spoke on the motion.

VOTE:

Councilor Millett moved, Councilor K. Wilson seconded, to reduce the School Department's budget an additional \$85,000, to be used to reduce the tax rate. The motion carried with six (6) yeas. Councilor Watson and Councilor Perreault were opposed.

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

The meeting adjourned at 10:36 p.m.

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

Frances M. Smith
Town Clerk
May 18, 2016

June 6, 2016
Date of Approval

Council Chair