

**Approved**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**March 21, 2016**  
**Executive Session – 6:00 P.M.**  
**Regular Meeting - 7:00 P.M.**  
**Council Chambers**  
**Town Hall**  
**85 Union Street**

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

**Councilors Absent:** Councilor John M. Perreault

**Town Staff Present:** John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Pender Makin, Assistant Superintendent of Schools; Steve Langsdorf, Town Attorney; Cathy Jamison, Assessor; Julie Henze, Finance Director; Marc Hagan, Police Commander; Anna Breinich, Director of Planning and Development; Jeff Hutchinson, Codes Enforcement Officer; Dan Devereaux, Marine Warden; Paul Caron, School Facilities Manager; James Oikle, Business Manager for School Department; Terry Goan, 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.

**Executive Session: [1 M.R.S.A. §405(6)(E)] Consultation with legal counsel**

**Chair Brayman moved, Councilor S. Wilson seconded, to go into executive session for a consultation with legal counsel per 1 M.R.S.A. §405(6)(E). The motion carried with eight (8) yeas.**

**Meeting Resumes**

The meeting resumed at 7:00 p.m. and Chair Brayman led the Pledge of Allegiance.

**Adjustments to Agenda**

Chair Brayman made the following changes: postpone item 37 regarding Social Service Policy until April 4th; postpone item CA-f until April 4<sup>th</sup>; and place Item 36 prior to the Public Hearings.

**CONSENT AGENDA** *(This item was discussed at 7:06 p.m.)*

- a) **Approval of the minutes of March 7, 2016**
- b) **Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 313**
- c) **Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 281**

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- d) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 140**
- e) Permission to expend a 2016 Speed Enforcement Grant**
- f) Adoption of a “Resolution Recognizing National Service Recognition Day” (tabled)**

**Chair Brayman moved, Councilor Millett seconded, to approve the Consent Agenda items a – e. The motion carried with eight (8) yeas.**

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

**Public Comments** *(This item was discussed at 7:07 p.m.)*

**Richard Fisco**, 2 Lincoln Street, stated even if a person does not vote, they are still represented by the Council as the Councilors represent all of the people. The Council must do what is good for community as well as the will of the people. The “cash draw” cannot be the best way to make decisions.

**Correspondence** *(This item was discussed at 7:10 p.m.)*

Councilor K. Wilson said she had received emails regarding the crosswalks between Coffin Street and Longfellow Avenue. BPAC will be looking at this possible safety issue.

Councilor Millett said there were many emails on the Styrofoam ban (Chair Brayman stated they were included in a packet provided to the Council.)

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

- **Bicycle and Pedestrian Advisory Committee**
- **BDC**
- **Cable TV Committee**
- **Finance Committee**
- **Teen Center Board**

Reports were given on the committees listed above.

Chair Brayman appointed Councilor Millett to replace Councilor D. Harris on the Council Rules Subcommittee.

**MANAGER’S REPORT**

**a) Financial update** *(This item was discussed at 7:18 p.m.)*

Julie Henze, Finance Director, provided this update.

Manager Eldridge also spoke regarding the Mere Point Waste Water System, and responded to questions from Councilor Millett, Councilor Watson, and Councilor S. Wilson.

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**b) Report on Municipal Budget schedule and CIP** *(This item was discussed at 7:24 p.m.)*

Manager Eldridge provided this report.

Chair Brayman and Councilor Millett spoke regarding this item.

**c) Presentation on the upcoming revaluation** *(This item was discussed at 7:28 p.m.)*

Cathy Jamison, Assessor, made this presentation and responded to questions from Councilor Millett, Chair Brayman, and Councilor Walker.

*(A copy of the Assessor's press release will be attached to the official minutes.)*

**d) Upcoming 45<sup>th</sup> Anniversary for Amtrak** *(This item was discussed at 7:35 p.m.)*

Manager Eldridge spoke regarding this item.

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

**e) Update on high school boiler replacement** *(This item was discussed at 7:36 p.m.)*

Manager Eldridge spoke regarding this item, and responded to questions from Councilor Walker and Councilor Millett.

Chair Brayman spoke regarding this item.

*(A copy of Manager Eldridge's memo will be attached to the official minutes.)*

**PUBLIC HEARING**

Item 36 was done prior to the public hearings.

**31. The Town Council will hear public comments on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services, and will take any appropriate action. (Manager)** *This item was discussed at 7:47 p.m.*

Manager Eldridge introduced this item.

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

**Councilor Walker moved, Councilor Watson seconded, to adopt "A Resolution Authorizing the Acceptance and Expenditure of Community Development Block Grant Funds for Projects Undertaken by Pathways Rehabilitation Services." The motion carried with eight (8) yeas.**

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*(A copy of a memo from Linda Smith, the MEA application, and adopted Resolution will be attached to the official minutes.)*

- 32. The Town Council will hear public comments for an ordinance to enact a ban on polystyrene foam in consumer packaging, and will take any appropriate action. (Councilor Walker and Councilor K. Wilson) This item was discussed at 7:48 p.m.**

Chair Brayman opened the public hearing.

Councilor Walker introduced this item, and responded to questions from Councilor S. Wilson.

The following people spoke regarding this item:

**Diane Schetky** – Topsham – Bring Your Own Bag

**Sarah Lakeman**, Sustainable Maine Project Director

**Loirel Nazzaro**, 29 Pennell Way

**Averil Fessenden**, 30 Miller Creek Road

**Alwyn Ecker**, Simpson Point Road

**Carol Harrington**, Thornton Oaks

**Jamie Ecker**, 67 Simpson's Point Road

**Jim Trusiani**, 6 Pleasant Street

**Yvette Meunier**, 35 Prospect St, Topsham

**Jay Plante**, 81 Rossmore Road

**Henry Heyburn**, Pennellville Road

**Becky Shepherd**, 106 Union St, owner of Wild Oats Bakery

**Richard Fisco**, 2 Lincoln Street

**Bruce Kantner**, 72 Rossmore Road

**Marcia Harrington**, 71 Rossmore Road

**Jeanette MacNeille**, 2 Brookside Rd, Topsham

**Punnie Edgerton**, 29 McLellan Street

Chair Brayman closed the public hearing.

Chair Brayman spoke regarding this item.

**Councilor Millett moved, Councilor K. Wilson seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting.**

Chair Brayman, Councilor S. Wilson, Councilor Watson, Councilor Walker, and Councilor D. Harris spoke regarding this motion.

**Vote on motion:**

**Councilor Millett moved, Councilor K. Wilson seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion carried with six (6) yeas. Chair Brayman and Councilor Watson were opposed.**

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**Councilor K. Wilson moved, Councilor Walker seconded, to adopt the Ordinance to enact a ban on polystyrene foam in consumer packaging, with enforcement to begin on October 1, 2016.**

Councilor S. Wilson, Councilor D. Harris, Councilor Walker, Councilor K. Wilson, Chair Brayman, and Councilor Watson spoke regarding this motion.

**Vote on motion:**

**Councilor K. Wilson moved, Councilor Walker seconded, to adopt the Ordinance to enact a ban on polystyrene foam in consumer packaging, with enforcement to begin on October 1, 2016. The motion carried with eight (8) yeas.**

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

- 33. The Town Council will hear public comments on a proposed “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935),” and will take any appropriate action. (Manager) This item was discussed at 8:41 p.m.**

Chair Brayman opened the public hearing.

Manager Eldridge introduced this item.

James Oikle, School Department Business Manager, made a presentation.

Councilor Millett asked questions, to which Mr. Oikle and Paul Caron, Facilities’ Manager for School Department, responded.

Mr. Oikle responded to questions from Councilor D. Harris and Chair Brayman.

Bill Thompson, Chair of School Board, responded to questions from Councilor K. Wilson, Councilor Millett, and Councilor D. Harris.

Paul Caron responded to questions from Councilor Watson and Councilor Millett.

**Richard Fisco**, 2 Lincoln Street, spoke regarding this item.

**Jim Trusiani**, 6 Pleasant Street, spoke regarding this item.

Chair Brayman closed the public hearing.

Chair Brayman spoke regarding this item.

**Councilor D. Harris moved, Councilor Watson seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting.**

Councilor D. Harris, Chair Brayman, Councilor K. Wilson, Councilor Millett, Councilor Watson and Councilor A. Harris spoke on this motion.

Councilor S. Wilson asked questions, to which Manager Eldridge and Mr. Caron responded.

**Vote on Motion:**

**Councilor D. Harris moved, Councilor Watson seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion carried with six (6) yeas. Chair Brayman and Councilor Millett were opposed.**

**Chair Brayman moved, Councilor K. Wilson seconded, to adopt an “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935).”**

Councilor S. Wilson and Chair Brayman spoke regarding the motion.

**Vote on Motion:**

**Chair Brayman moved, Councilor K. Wilson seconded, to adopt an “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935).” The motion carried with seven (7) yeas. Councilor Millett was opposed.**

*(A copy of the adopted ordinance, a memo from Mr. Perzanoski with additional supporting materials, and the presentation will be attached to the official minutes.)*

- 34. The Town Council will hear public comments on a “Moratorium on New Development in the Natural Resources Protection Zone,” and will take any appropriate action. (Manager) This item was discussed at 9:21 p.m.**

Chair Brayman opened the public hearing.

Manager Eldridge introduced this item.

The following people spoke from the public:

**Richard Knox**, 81 Simpson’s Point Road

**Richard Fisco**, 2 Lincoln Street

**Henry Heyburn**, Pennellville Road

Councilor Walker asked a question, to which Manager Eldridge responded.

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For clarification, Manager Eldridge stated that the Town Attorney indicated the intent of the Moratorium was not to apply to projects that are underway and it will not impact the Miller Point Project.

Councilor D. Harris spoke regarding this item.

Councilor Millett and Councilor D. Harris asked questions, to which Manager Eldridge responded.

Councilor S. Wilson spoke regarding this item.

Chair Brayman closed the public hearing.

Councilor A. Harris and Councilor Millett spoke regarding this item.

**Councilor Watson moved, Councilor Walker seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion carried with eight (8) yeas.**

**Councilor Walker moved, Councilor Millett seconded, to adopt a “Moratorium on New Development in the Natural Resources Protection Zone (NRPZ).” The motion carried with eight (8) yeas.**

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

35. **The Town Council will hear public comments on proposed amendments to the Municipal Code of Ordinance Chapter 10 “Licenses and Business Regulations” Section 10-26(6) to increase the number of food vendors on the town mall from four to five, and will take any appropriate action. (Manager) This item was discussed at 9:42 p.m.**

Chair Brayman opened the public hearing.

Manager Eldridge introduced the item.

Chair Brayman closed the public hearing.

**Chair Brayman indicated there was unanimous consent of the Council to suspend the rules to allow for this item to be voted on tonight.**

**Councilor Watson moved, Councilor K. Wilson seconded, to adopt amendments to the Municipal Code of Ordinance Chapter 10 “Licenses and Business Regulations” Section 10-26(6) to increase the number of food vendors on the town mall from four to five.**

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Councilor Millett, Councilor Walker, Councilor S. Wilson, Councilor D. Harris, Chair Brayman and Councilor K. Wilson spoke regarding the motion.

**Councilor Watson moved, Councilor K. Wilson seconded, to adopt amendments to the Municipal Code of Ordinance Chapter 10 “Licenses and Business Regulations” Section 10-26(6) to increase the number of food vendors on the town mall from four to five. The motion carried with five (5) yeas. Councilor Walker, Councilor D. Harris, and Councilor Millett were opposed.**

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

**NEW BUSINESS**

- 36. The Town Council will consider requesting that the Town Manager direct the Planning Department to require a special use permit review of the Miller Point revetment project, and will take any appropriate action. (Councilor Walker) *This item was discussed at 7:41 p.m.***

This item was done prior to the public hearings.

Councilor Walker introduced this item.

**Councilor Walker moved, Councilor Watson seconded, to table this item to April 4, 2016, pending the results of discussions and agreements with the Kings. The motion carried with eight (8) yeas.**

- 37. The Town Council will consider adopting the proposed Social Service Policy, and will take any appropriate action. (Social Service Committee)**

This item will come back at the April 4<sup>th</sup> meeting.

- 38. The Town Council will consider a request for a Sellers of Prepared Food on Public Ways license for outdoor seating for Little Saigon, 44 Maine Street, and will take any appropriate action. (Manager) *This item was discussed at 9:51 p.m.***

Fran Smith spoke regarding this item and responded to questions from Councilor Millett.

**Councilor Walker moved, Chair Brayman seconded, to approve a request for Sellers of Prepared Food on Public Ways license for outdoor seating for Little Saigon, located at 44 Maine Street. The motion carried with eight (8) yeas**

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

The meeting adjourned at 9:53 p.m.

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

*Frances M. Smith*

*Town Clerk*

*March 25, 2016*

April 4, 2016

*Date of Approval*

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*Council Chair*