

Approved
BRUNSWICK TOWN COUNCIL
Minutes
November 21, 2016
7:00 P.M. – Regular Meeting
Council Chambers
Town Hall
85 Union Street

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

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Derek Scrapchansky, Assistant Town Manager; John Foster, Public Works Director; Tom Farrell, Director of Parks and Recreation; Anna Breinich, Director of Planning and Development; Julie Henze, Finance Director; Jay Astle, Parks and Recreation Facilities Manager; and TV video crew

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

Adjustments to Agenda

The Council recognized the achievements of the Brunswick High School Football team, who recently won the state champion for the first time in 63 years.

CONSENT AGENDA

- a) **Approval of the minutes of November 7, 2016**
- b) **Appoint Fran Smith as Registrar of Voters**
- c) **Approval of games of chance license for Brunswick Lodge of Elks #2043**

Councilor Jane Millett moved, Councilor Alison Harris seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

Public Comments

Debora King, BDA Executive Director, spoke regarding the upcoming events on the mall including the tree lighting and Santa's visit.

Sockna Dice, 3 Breckan Road, provided an update on the effort and petition to have 946 Mere Point Road become a park. She urged the Council to hold off on selling the property until there could be a ballot question at the June election.

Richard Fisco, 2 Lincoln Street, spoke regarding the Finance Committee meeting that discussed upcoming tax increases. He spoke about the School Department and their request for new school construction. The Brunswick school is not on the construction list at the Department of

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Education. Brunswick should see if they could get on that list. He spoke on the school budget and his concerns with the new school.

Will Wilkoff, 15 Colonial Drive, spoke regarding the artwork on the walls upstairs in Town Hall that was created by kindergarteners and first graders.

Josh Katz, 49 Bunganuc Road and Bicycle & Pedestrian Advisory Committee member, said the Town had been awarded the bronze level - Bicycle Friendly Community from the League of American Bicyclists.

Correspondence *(This item was discussed at 7:26 p.m.)*

Councilor Alison Harris spoke regarding the Midcoast Hunger Prevention program's opening of a new addition and how the Downeaster train has launched its third daily trip.

Councilor Kathy Wilson spoke regarding a community spay and neuter clinic to be held in Topsham and the clinic's grant to sterilize up to 500 cats in the area.

Councilor Stephen Walker was asked by a student about having a menorah for Jewish citizens on the town mall.

Debora King, from BDA, said they can look into it, but the decorated tree is referred to as a Holiday tree as a way to recognize all.

COMMITTEE REPORTS *(This item was discussed at 7:30 p.m.)*

- **Bicycle and Pedestrian Advisory Committee**
- **Finance Committee**
- **Humans Rights Task Force**
- **Mare Brook Technical Advisory Committee**
- **Master Plan Implementation Committee**
- **Rivers and Coastal Waters Commission**

Reports were given on the above Committees.

MANAGER'S REPORT

a) Financial update *(This item was discussed at 7:45 p.m.)*

Manager Eldridge provided this update and responded to questions from Councilor Jane Millett.

Councilor Daniel Harris spoke regarding this item.

b) Council Project Tracking Report *(This item was discussed at 7:48 p.m.)*

Manager Eldridge provided this report, and responded to questions from Councilor John Perreault, Councilor Jane Millett, and Councilor David Watson.

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Councilor Kathy Wilson spoke regarding the Riverside Cemetery and the steps being taken to organize it.

Councilor Alison Harris spoke regarding this item.

c) Thanksgiving week trash pick-up and landfill schedule *(This item was discussed at 7:54 p.m.)*

Manager Eldridge provided the schedule.

d) Graham Road Landfill Update *(This item was discussed at 7:55 p.m.)*

Manager Eldridge provided this update.

Randy Tome, Woodard & Curran, spoke regarding this item.

Mr. Tome and Manager Eldridge responded to questions from Councilor Daniel Harris, Councilor Kathy Wilson, and Councilor Suzan Wilson.

(A copy of a memo from Woodard and Curran, as well as a preliminary closure schedule, will be attached to the official minutes.)

e) (ADDED) Update on clearing the title for 946 Mere Point

Manager Eldridge provided an update on this property's status.

PUBLIC HEARING

126. The Town Council will hear public comments on a renewal special amusement license, and will take any appropriate action. (Manager) *(This item was discussed at 8:06 p.m.)*

**Special Amusement
NKMDK
D/B/A: Yankee Lanes
276 Bath Road**

Mr. Nelson Moody

Chair Sarah Brayman opened the public hearing.

Fran Smith, Town Clerk, spoke regarding this item.

Chair Sarah Brayman closed the public hearing.

Councilor David Watson moved, Councilor Jane Millett seconded, to approve the renewal special amusement license for Yankee Lanes, 276 Bath Road. The motion carried with nine (9) yeas.

127. **The Town Council will hear public comments on increases to the shellfish license fees contained in the Municipal Code of Ordinances, Appendix B - the Master Schedule of Revenues, Charges, Fees and Fines, and will take any appropriate action. (Manager) (This item was discussed at 8:07 p.m.)**

Chair Sarah Brayman opened the public hearing.

Manager Eldridge introduced this item.

Councilor Jane Millett asked a question, to which Councilor Suzan Wilson responded.

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

Chair Sarah Brayman closed the public hearing.

Councilor Kathy Wilson moved, Councilor Jane Millett seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion carried with nine (9) yeas.

Councilor Stephen Walker moved, Councilor Suzan Wilson seconded, to adopt increases to the shellfish license fees contained in the Municipal Code of Ordinances, Appendix B - the Master Schedule of Revenues, Charges, Fees and Fines. The motion carried with nine (9) yeas.

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

NEW BUSINESS

128. **The Town Council will consider amendments to Code of Ordinances, Chapter 13 “Solid Waste” to, by contract, allow the Graham Road landfill to accept solid waste generated beyond the corporate limits of Brunswick, and will take any appropriate action. (Manager) (This item was discussed at 8:16 p.m.)**

Manager Eldridge introduced this item.

Councilor Stephen Walker moved, Councilor Dave Watson seconded, to approve amendments to Code of Ordinances, Chapter 13 “Solid Waste” to, by contract, allow the Graham Road landfill to accept solid waste generated beyond the corporate limits of Brunswick.

Councilor John Perreault spoke to the motion.

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Councilor Suzan Wilson asked questions, to which Manager Eldridge responded.

Councilor Kathy Wilson and Councilor Suzan Wilson spoke regarding this item.

Councilor Stephen Walker moved, Councilor Dave Watson seconded, to approve amendments to Code of Ordinances, Chapter 13 “Solid Waste” to, by contract, allow the Graham Road landfill to accept solid waste generated beyond the corporate limits of Brunswick. The motion carried with nine (9) yeas.

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

129. The Town Council will consider a recommendation from the Recreation Commission regarding Brunswick becoming a Tree City USA community, and will take any appropriate action. (Chair Sarah Brayman) *(This item was discussed at 8:31 p.m.)*

Chair Sarah Brayman introduced this item.

Tom Farrell, Parks and Recreation Director, and Jay Astle, Parks and Recreation Facilities Manager, spoke regarding this item.

Mr. Astle responded to questions from Chair Sarah Brayman.

Councilor Jane Millett spoke regarding this item.

Chair Sarah Brayman moved, Councilor Kathy Wilson seconded, to create a tree committee and to take additional steps needed for the Town to become a Tree City USA community. The motion carried with nine (9) yeas.

The Council took a 10 minute recess.

130. The Town Council will consider proposed ordinances regarding a disposable bag ordinance, and will take any appropriate action. (Councilor Stephen Walker and Councilor Kathy Wilson) *(This item was discussed at 8:44 p.m.)*

Councilor Stephen Walker and Councilor Kathy Wilson introduced this item.

The following Councilors spoke regarding this item: Chair Sarah Brayman, Councilor Jane Millett, Councilor Alison Harris, Councilor Daniel Harris, Councilor Suzan Wilson, Councilor John Perreault, and Councilor David Watson.

MAIN MOTION:

Councilor Jane Millett moved, Councilor Stephen Walker seconded, to create an ordinance that bans plastic bags and imposes a five cent fee per paper bag.

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The following Councilors spoke regarding this motion: Councilor Suzan Wilson, Chair Sarah Brayman, Councilor Stephen Walker, Councilor Jane Millett, Councilor Daniel Harris, and Councilor John Perreault.

Councilor Daniel Harris moved, Councilor John Perreault seconded, to amend the motion to create an ordinance to ban plastic bags, removing the reference to paper bags.

Councilor John Perreault and Chair Sarah Brayman spoke to the amendment.

Chair Sarah Brayman opened the meeting to public comments.

Marcia Harrington, Bring Your Own Bag group

Richard Fisco, 2 Lincoln Street

Joe Ciarrocca, 532 Harpswell Road

VOTE ON AMENDMENT

Councilor Daniel Harris moved, Councilor John Perreault seconded, to amend the motion to create an ordinance to ban plastic bags, removing the reference to paper bags. The motion passed with six (6) yeas. Chair Sarah Brayman, Councilor Kathy Wilson, and Councilor Alison Harris were opposed.

Councilor Alison Harris, Councilor Kathy Wilson and Councilor Jane Millett spoke prior to the vote on the final motion.

VOTE ON FINAL MOTION AS AMENDED:

To create an ordinance to ban plastic bags. The motion carried with nine (9) yeas. (Original motion made by Councilor Jane Millett and Councilor Stephen Walker, with the amendment made by Councilor Daniel Harris and Councilor John Perreault.)

SECOND MOTION:

Councilor Jane Millett moved, Councilor Kathy Wilson seconded, to craft an ordinance that would impose a five cent fee per paper bag.

Councilor John Perreault, Councilor Daniel Harris, and Councilor David Watson spoke to the motion.

Chair Sarah Brayman opened the meeting to public comments.

Barbara Clark, 17 Birch Meadow Road

Averil Fessenden, 30 Miller Creek Road

Graydon Foye, Oak Street

The following Councilors spoke regarding this motion: Councilor Alison Harris, Chair Sarah Brayman, Councilor Suzan Wilson, Councilor Kathy Wilson, Councilor Stephen Walker, Councilor John Perreault, and Councilor David Watson.

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

VOTE ON SECOND MOTION:

Councilor Jane Millett moved, Councilor Kathy Wilson seconded, to craft an ordinance that would impose a five cent fee per paper bag. The motion failed with four (4) yeas. Councilor David Watson, Councilor Stephen Walker, Councilor Suzan Wilson, Councilor John Perreault, and Councilor Daniel Harris were opposed.

THIRD MOTION:

Councilor Stephen Walker moved, Councilor Dave Watson seconded, to craft an ordinance to apply the plastic bag ban to all retailers. The motion carried with nine (9) yeas.

131. The Town Council will consider an Emergency Moratorium Ordinance on Retail Marijuana Stores, Facilities, and Social Clubs, and will take any appropriate action. (Councilor Jane Millett) *(This item was discussed at 10:03 p.m.)*

Councilor Jane Millett introduced this item.

Councilor David Watson spoke regarding this item.

Manager Eldridge spoke regarding this item, and responded to questions from Councilor Suzan Wilson, Councilor Stephen Walker, and Councilor John Perreault.

Councilor Kathy Wilson, Councilor Suzan Wilson, Councilor John Perreault, and Councilor Alison Harris spoke regarding this item.

Anna Breinich spoke regarding this item.

Chair Sarah Brayman moved, Councilor Jane Millett seconded, to adopt an Emergency Moratorium Ordinance on Retail Marijuana Stores, Facilities, and Social Clubs, and to set a public hearing for December 19, 2016, to extend the moratorium. The motion carried with nine (9) yeas.

Councilor David Watson moved, Councilor Kathy Wilson seconded, to adjourn the meeting. The motion carried with nine (9) yeas.

The meeting adjourned at 10:24 p.m.

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

*Frances M. Smith
Town Clerk
November 29, 2016*

December 5, 2016
Date of Approval

Council Chair