

Approved
BRUNSWICK TOWN COUNCIL
Minutes
March 7, 2022
Regular Meeting – 6:30 P.M.
Council Chambers
Town Hall
85 Union Street

Councilors Present: W. David Watson, Stephen S. Walker, Sandra Updegraph, Kate Foye, James Mason, Kathy Wilson and Dan Ankeles.

Councilors Absent: Christopher Watkinson and Abby King

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Julia Henze, Finance Director; Ryan Leighton, Assistant Town Manager; Sally Costello, Director of Economic Development; Julie Erdman, Codes Officer, Matt Panfil, Director of Planning and Development; Tom Farrell, Director of Parks and Recreation; and the video crew.

Chair Mason opened the meeting and acknowledged the meeting had been properly noticed. He lead the Pledge of Allegiance

Adjustments to Agenda: None

Public Comments/Announcements (for items not on the agenda) [*\(This item was discussed 6:35 p.m.\)*](#) NONE

MANAGER’S REPORT [*\(This item was discussed 6:36 p.m.\)*](#)

a) Municipal Budget and Capital Improvement Program (CIP)

Manager Eldridge spoke regarding this item.

b) Town Council Redistricting

Fran Smith, Town Clerk, spoke regarding this item.

c) Fire Station Construction

Manager Eldridge spoke regarding this item.

Sally Costello, Director of Economic Development, spoke regarding this item.

Councilor Ankeles, Chair Mason, and Councilor Wilson spoke regarding this item.

d) MRRRA West Side 144 Acres

Town Council Minutes

March 7, 2022

Page 2

Manager Eldridge spoke regarding this item.

e) Solid Waste and Recycling

Manager Eldridge spoke regarding this item.

f) Pleasant Street Two-Way Study

Manager Eldridge spoke regarding this item.

g) Cook's Corner Planning

Manager Eldridge and Ms. Costello spoke regarding this item.

PUBLIC HEARING

- 27. The Town Council will hear public comments regarding a renewal Special Amusement application for Byrnes Irish Pub, and will take any appropriate action. (Town Manager Eldridge) ([This item was discussed 6:56 p.m.](#))**

Special Amusement

**Byrnes Irish Pub, LLC
D/B/A: Byrnes Irish Pub
16 Station Ave #102**

Patrick Byrnes

Chair Mason opened the public hearing

Fran Smith, Town Clerk, introduced this item.

Chair Mason closed the public hearing.

Councilor Wilson moved, Councilor Foye seconded, to approve a Special Amusement license for Byrnes Irish Pub, 16 Station Avenue, #102. The motion carried with seven (7) yeas.

- 28. The Town Council will hear public comments on proposed text amendments to the Municipal Code of Ordinances Chapter 20 - Impact fees, and will take any appropriate action. (Town Manager Eldridge) ([This item was discussed 7:02 p.m.](#))**

Chair Mason opened the public hearing

Manager Eldridge introduced this item, and responded to questions from Councilor Watson, Chair Mason, and Councilor Wilson.

Councilor Updegraph spoke regarding this item.

Town Council Minutes

March 7, 2022

Page 3

Ryan Leighton, Assistant Town Manager, spoke regarding this item.

Chair Mason closed the public hearing.

The Council was fine with voting this meeting.

Councilor Walker spoke regarding this item.

Councilor Walker moved, Councilor Watson seconded, to adopt proposed text amendments to the Municipal Code of Ordinances Chapter 20 – Impact Fees. The motion carried with seven (7) yeas.

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

- 29. The Town Council will hear public comments on proposed Zoning Ordinance amendments relating to impact fees. The Council will also receive the Planning Board’s recommendations, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed 7:23 p.m.\)*](#)**

Chair Mason opened the public hearing; hearing no comments, he closed the public hearing.

The Council was fine with voting this meeting.

Councilor Watson moved, Councilor Wilson seconded, to adopt proposed text amendments pertaining to impact fees in Sections 4.2.5, 4.5.3, 4.7 and Appendix E – Recreation Facilities Impact Fee Methodology, as Amended. The motion carried with seven (7) yeas.

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

NEW BUSINESS

- 30. The Town Council will consider the following requests for Sellers of Prepared Food on Public Ways licenses for businesses on the Brunswick Mall, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed 7:29 p.m.\)*](#)**

Wrappers

Taco the Town

Mr. Tuna

Island Cow

Brunswick Farmers’ Market Association

Town Council Minutes

March 7, 2022

Page 4

Ms. Smith introduced this item and responded to questions from Councilor Ankeles.

Robert Walters, owner of Island Cow Ice Cream, spoke regarding this item
Councilor Wilson spoke regarding this item.

Chair Mason moved, Councilor Wilson seconded, to approve the following Sellers of Prepared Food on Public Ways licenses on the Brunswick Mall: Wrappers, Taco the Town, Mr. Tuna, and Island Cow and the Brunswick Farmers' Market Association. The motion carried with seven (7) yeas.

- 31. The Town Council will consider deeming two structures, one on Pleasant Street and one on Turner Street, dangerous buildings pursuant to 17 M.R.S. § 2851, and will take any appropriate action. (Code Enforcement Department) [*\(This item was discussed 7:42 p.m.\)*](#)**

Julie Erdman, Codes Officer, and Manager Eldridge introduced this item.

Councilor Wilson, Councilor Walker, and Councilor Watson spoke regarding this item.

Kristin Collins, Town Attorney, spoke regarding this item.

Councilor Walker moved, Councilor Updegraph seconded, to deem the structures currently located at 25 Turner Street (Map U23 Lot 25) and 32 Turner Street (Map U23 Lot 17) dangerous buildings pursuant to 17 M.R.S. § 2851 and order that they be removed according to the Notices of Violation and Orders of Correction and include the adoption of two orders attached. The motion carried with seven (7) yeas.

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

- 32. The Town Council will consider setting a public hearing for March 21, 2022 regarding “Emergency Moratorium Regarding Street Entrances in Certain Areas of Cook’s Corner”, to be considered on a regular and emergency basis, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed 7:57 p.m.\)*](#)**

Manager Eldridge introduced this item

Ms. Costello responded to questions from Councilor Walker.

Councilor Watson moved, Councilor Foye seconded, Motion to set a public hearing for March 21, 2022, on an emergency and a regular basis for an “Emergency Moratorium Regarding Street Entrances in Certain Areas of Cook’s Corner.” The motion carried with seven (7) yeas.

- 33. The Town Council will consider adopting “A Resolution Authorizing an Appropriation and Expenditure of \$10,000 from Available Tax Increment Financing**

Revenues to Serve as the Required Local Match for the Maine Department of Transportation’s Heads Up! Grant for Preliminary Design, Survey/Mapping and Initial Right of Way Work on Pedestrian Safety Improvements Crossing Bath Road at Jordan Avenue”, and will take any appropriate action. (Town Manager Eldridge) [\(This item was discussed 8:05 p.m.\)](#)

Manager Eldridge, Mr. Leighton and Ms. Costello spoke regarding this item.

Councilor Walker, Councilor Updegraph, Councilor Foye, and Councilor Watson asked questions to which staff responded.

Councilor Wilson moved, Councilor Watson seconded, to adopt “A Resolution Authorizing an Appropriation and Expenditure of \$10,000 from Available Tax Increment Financing Revenues to Serve as the Required Local Match for the Maine Department of Transportation’s Heads Up! Grant for Preliminary Design, Survey/Mapping and Initial Right of Way Work on Pedestrian Safety Improvements Crossing Bath Road at Jordan Avenue.” The motion carried with seven (7) yeas.

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

34. The Town Council will consider adopting “A Resolution Authorizing an Appropriation and Expenditure of \$20,000 from Available Tax Increment Financing Revenues to Serve as the Required Local Match for the Maine Department of Transportation’s Heads Up Grant for Preliminary Engineering, Survey/Mapping, Right-of-Way Work and Final Construction of Pedestrian Safety Improvements at the Corner of Federal Street, Mason Street and Water Street”, and will take any appropriate action. (Town Manager Eldridge) [\(This item was discussed 8:22 p.m.\)](#)

Manager Eldridge and Mr. Leighton introduced this item.

Councilor Watson spoke regarding this item

Councilor Walker moved, Councilor Wilson seconded, Motion to adopt “A Resolution Authorizing an Appropriation and Expenditure of \$20,000 from Available Tax Increment Financing Revenues to Serve as the Required Local Match for the Maine Department of Transportation’s Heads Up Grant for Preliminary Engineering, Survey/Mapping, Right-of-Way Work and Final Construction of Pedestrian Safety Improvements at the Corner of Federal Street, Mason Street and Water Street. The motion carried with seven (7) yeas.

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

35. The Town Council will consider “A Resolution Accepting a Maine Department of Transportation Grant for Preliminary Design, Survey/Mapping and Initial Right of Way Work on Segment A of a Multi-Use Pathway along the Androscoggin River from the Swinging Bridge to the Frank J. Wood Bridge, Appropriating \$15,000 from Available Tax Increment Financing Revenues to Finance the 20% Required

Town Council Minutes

March 7, 2022

Page 6

Local Match, and Authorizing Acceptance of Contributions to the Project from the Riverwalk Advisory Committee”, and will take any appropriate action. (Town Manager Eldridge) [\(This item was discussed 8:29 p.m.\)](#)

Manager Eldridge and Tom Farrell, Director of Parks and Recreation, introduced this item.

Councilor Watson spoke regarding this item.

Councilor Wilson moved, Councilor Watson seconded, Motion to adopt “A Resolution Accepting a Maine Department of Transportation Grant for Preliminary Design, Survey/Mapping and Initial Right of Way Work on Segment A of a Multi-Use Pathway along the Androscoggin River from the Swinging Bridge to the Frank J. Wood Bridge, Appropriating \$15,000 from Available Tax Increment Financing Revenues to Finance the 20% Required Local Match, and Authorizing Acceptance of Contributions to the Project from the Riverwalk Advisory Committee.” The motion carried with seven (7) yeas.

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

36. The Town Council will consider a request for an easement extending onto the Town of Brunswick’s property on Ballard Street, and will take any appropriate action. (Town Manager Eldridge) [\(This item was discussed 8:37 p.m.\)](#)

Mr. Leighton and Manager Eldridge introduced this item.

Matt Panfil, Director of Planning and Development, spoke regarding this item.

Councilor Foye, Chair Mason, Councilor Updegraph, Councilor Wilson, Councilor Watson, Councilor Walker, and Councilor Ankeles asked questions and spoke regarding this item.

Wells Lyons, 6 Greenleaf Street, spoke regarding this item.

Kathy Gallant, Realtor representing the buyer, spoke regarding this item.

It was determined to have the manager and staff investigate options including reevaluating the ordinance.

37. The Town Council will consider adopting a Conflict of Interest Policy, and will take any appropriate action. (Town Manager Eldridge) [\(This item was discussed 9:16 p.m.\)](#)

Manager Eldridge introduced this item.

Councilor Watson, Councilor Wilson, and Councilor Walker spoke regarding this item.

Councilor Wilson moved, Councilor Foye seconded, Motion to adopt the proposed Conflict of Interest Policy. The motion carried with seven (7) yeas.

Town Council Minutes

March 7, 2022

Page 7

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

- 38. The Town Council will consider adding Juneteenth to the Town’s list of celebrated holidays, and consider setting a public hearing for March 21, 2022 to amend the personnel policy, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed 9:21 p.m.\)*](#)**

Manager Eldridge introduced this item.

Chair Mason moved, Councilor Foye seconded, to add Juneteenth to the list of holidays that the Town celebrates. The motion carried with seven (7) yeas.

Chair Mason moved, Councilor Foye seconded, to set a public hearing for March 21, 2022 to consider changes to the personnel ordinance regarding the addition of Juneteenth to the list of Town-celebrated holidays. The motion carried with seven (7) yeas.

- 39. The Town Council will consider appointments to the Town’s Boards and Committees, and will take any appropriate action. (Appointments Committee) [*\(This item was discussed 9:24 p.m.\)*](#)**

Councilor Watson made the following nominations:

Village Review Board

- Phil Carey – term ending 10/20/24
- Aimee Keithan – term ending 10/20/2024

Comprehensive Pan Committee:

- Jacob Sesker
- Stephen Tibbets

Other vacancies:

- Peter Milligan – Marine Resources Committee – alternate for a term to expire 05/01/2024
- Julia Brown – Davis Fund Committee for a term to expire 06/03/2022
- Emma Glidden- Lyon – Downtown/Pleasant Street Master Implementation Committee as the Downtown Resident– for a term to expire on 12/01/2023
- Shaun Hogan from an alternate to a full member of the Personnel Board for term to expire on 01/12/2024

The Council voted unanimously to support the slate.

CONSENT AGENDA [*\(This item was discussed 9:29 p.m.\)*](#)

- a) Approval of minutes of February 22, 2022

Town Council Minutes

March 7, 2022

Page 8

- b) Approval of a proclamation for Arbor Week
- c) Approval of a proclamation for Town Commons Day

Councilor Watson moved, Councilor Walker seconded, to approve the Consent Agenda. The motion carried with seven (7) yeas.

Councilor Watson moved, Councilor Walker seconded, to adjourn the meeting. The motion carried with seven (7) yeas.

[The meeting adjourned at 9:31 p.m.](#)

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

*Frances M. Smith
Town Clerk
March 11, 2022*

March 21, 2022
Date of Approval

Council Chair