

**Adopted
BRUNSWICK TOWN COUNCIL
Minutes
June 17, 2019
Regular Meeting - 6:30 P.M.
Council Chambers
Town Hall
85 Union Street**

Councilors Present: W. David Watson, Stephen S. Walker, John M. Perreault, Christopher Watkinson, Jane F. Millett, James Mason, Kathy Wilson, and Dan Ankeles

Councilors Absent: Councilor Dan Jenkins

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Matt Panfil, Director of Planning and Development; Jared Woolston, Town Planner; and TV video crew

Chair John Perreault called the meeting to order, asked for roll call, and led the Pledge of Allegiance.

Adjustments to Agenda:

To add Item 82 relative to LD 1177 “An Act to Improve Public Sector Labor Relations” to allow binding arbitration on public sector union negotiations.

Public Comments/Announcements (for items not on the agenda) [*\(This item was discussed at 6:32 p.m.\)*](#)

Joseph DeRivera, 90 Echo Road, talked about the “Resolution Calling for Brunswick to Align with the 2017 United Nations Treaty on the Prohibition of Nuclear Weapons”.

Debora DeRivera, 90 Echo Road, read the above resolution.

Rosalie Paul, 30 Page Street, also spoke on the above resolution.

(A copy of the draft Resolution and petition requesting Council support will be attached to the official minutes.)

Richard Fisco, 2 Lincoln Street, talked about trust being a real currency and that excessive tax increases are an injustice. He continues to oppose tax increases over 3%.

Deborah King, Executive Director of Brunswick Downtown Association, gave a report of their activities.

MANAGER’S REPORT (This item was discussed at 6:55 p.m.)

a) Financial update

Manager Eldridge provided this report.

Town Council Minutes

June 17, 2019

Page 2

b) Brunswick Wye Parking Lot

Manager Eldridge provided this report.

Councilor Millett spoke regarding this item.

c) Town Hall Blood Drive

Manager Eldridge provided this report.

d) School Budget Referendum Results

Manager Eldridge and Fran Smith, Town Clerk, provided this report.

e) (ADDED) Update on state budget.

Manager Eldridge provided this report.

f) (ADDED) Report on Trek Across Maine and Coastal Soccer Tournament

Manager Eldridge provided this report.

g) (ADDED) Award to Fire Crew #3

Councilor Watson provide this update.

PUBLIC HEARING

- 75. The Town Council will hear comments on an application for an alcoholic beverage license, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 7:09 p.m.\)*](#)**

**Full-Time Vinous & Malt
Eveningstar Productions, LLC
D/B/A: Eveningstar Cinema
149 Maine Street**

Shaun Boyle

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Chair Perreault closed the public hearing.

Councilor Millett moved, Councilor Mason seconded, to approve an Alcoholic Beverage license for the Eveningstar Cinema, 149 Maine Street. The motion carried with eight (8) yeas.

76. The Town Council will hear public comments on a special amusement license, and will take any appropriate action. (Town Manager Eldridge) ([*This item was discussed at 7:11 p.m.*](#))

Special Amusement
Venture Management, LLC
D/B/A: Pepper's Landing
147 Bath Road, (Merrymeeting Plaza)

Ian Miller/Morey Highbarger

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced the item and responded to questions from Councilor Millett.

Chair Perreault closed the public hearing.

Councilor Wilson moved, Councilor Watkinson seconded, to approve a Special Amusement license for Pepper's Landing, 147 Bath Road. The motion carried with eight (8) yeas.

77. The Town Council and the Planning Board, in a joint public hearing, will hear public comments regarding adopting an "Emergency Ordinance Amendment on the Setback From Slopes Over 15 Percent in Contiguous Land Area Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts", on a regular and emergency basis, and will take any appropriate action. (Councilor John Perreault and Councilor James Mason) ([*This item was discussed at 7:15 p.m.*](#))

Chair Perreault opened the public hearing.

Manager Eldridge introduced this item.

Matt Panfil, Director of Planning and Development, and Jared Woolston, Town Planner, provided information regarding this item.

Councilor Millett spoke regarding this item and asked questions, to which Mr. Panfil responded.

Councilor Wilson, Councilor Walker, and Councilor Millett asked questions, to which Mr. Panfil and Mr. Woolston responded.

The following members of the public spoke:

Kevin Clark, Sitelines, provided a presentation and responded to questions from Councilor Walker, Mr. Matzen and Bill Dana (Planning Board members)

Curtis Neufeld, Sitelines

Jeffrey Smith, 125 Howard Point Lane

Bob Golledge, 11 Howard Point Lane

Chris Smith, 203 Coombs Road

Town Council Minutes

June 17, 2019

Page 4

Chair Perreault closed the public hearing.

Chair Perreault spoke regarding this item.

Charles Frizzle, Planning Board Chair, spoke regarding this item.

Manager Eldridge spoke regarding this item.

PLANNING BOARD ACTION:

Charles Frizzle moved, Bill Dana seconded, to support the emergency ordinance language proposed by the Council.

Kelly Matzen, Planning Board, recommended changing the language referring to “steep slopes” to “slopes greater than 15%” in the ordinance. The motion and seconder accepted this amendment.

Vote on motion

Charles Frizzle moved, Bill Dana seconded, to support the emergency ordinance language proposed by the Council, with the language referring to “steep slopes” changed to “slopes greater than 15%”. The motion carried with four (4) yeas. Robert Burgess abstained.

COUNCIL ACTION

Councilor Walker, Councilor Millett, Councilor Kathy Wilson, Councilor Watkinson, and Councilor Ankeles spoke regarding this item.

There was no objection to voting tonight on this item.

Councilor Watson moved, Councilor Walker seconded, to adopt an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts” with the language referring to “steep slopes” changed to “slopes greater than 15%”, to be enacted on an emergency and regular basis. The motion carried with eight (8) yeas.

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

NEW BUSINESS

- 78. The Town Council will hear a presentation regarding the Metro BREEZ service and the possibility of becoming a member of Metro beginning in January of 2020, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 8:32 p.m.\)*](#)**

Manager Eldridge introduced this item.

Town Council Minutes

June 17, 2019

Page 5

Greg Jordan, Portland Metro, made a presentation.

Councilor Watson asked questions, to which Manager Eldridge and Mr. Jordan responded.

Councilor Watkinson spoke regarding this item and asked questions, to which Mr. Jordan responded.

Councilor Ankeles asked questions, to which Manager Eldridge responded.

Chair Perreault asked questions, to which Mr. Jordan responded.

Alison Harris, Cumberland Street, spoke regarding this item.

Councilor Millett moved, Councilor Walker seconded, to fund Brunswick's share of the BREEZ from July 1, 2019 to December 31, 2019. The motion carried with eight (8) yeas.

79. The Town Council will consider setting a public hearing for July 1, 2019, regarding proposed zoning ordinance text amendments, and will take any appropriate action. (Town Manager Eldridge) ([This item was discussed at 9:12 p.m.](#))

Mr. Panfil introduced this item.

Councilor Millett moved, Councilor Mason seconded, to set a public hearing for July 1, 2019, on proposed zoning ordinance text amendments. The motion carried with eight (8) yeas.

80. The Town Council will consider setting a public hearing for July 1, 2019, regarding a draft ordinance that would prohibit smoking and vaping at specified locations in Brunswick, and will take any appropriate action. (Councilor Kathy Wilson and Councilor Jane Millett) ([This item was discussed at 9:19 p.m.](#))

Tom Farrell, Parks and Recreation Director, and **Melissa Fochesato**, Director, Community Health Promotion, MidCoast Hospital, introduced this item.

Councilor Millett spoke regarding this item.

Councilor Ankeles asked questions, to which Ms. Fochesato responded

Margo Knight, Chair of the Master Plan Implementation Committee, spoke regarding this item.

Councilor Watson asked questions, to which Mr. Eldridge responded.

Councilor Wilson spoke regarding this item.

Councilor Millett moved, Councilor Wilson seconded, to set a public hearing for July 1, 2019, on a Tobacco-Free Ordinance that would prohibit smoking and vaping in specified areas in Brunswick, and on Maine Street from Bath Road to the Androscoggin River from the hours of 7:00 a.m. to 7:00 p.m. The motion carried with eight (8) yeas.

81. The Town Council will consider authorizing the Town Manager to execute a quitclaim deed for property located at 77 Bunganuc Road, Map 29, Lot 3A, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 9:32 p.m.\)*](#)

Councilor Watson moved, Councilor Millett seconded, to table this item indefinitely. The motion carried with eight (8) yeas.

82. (ADDED) The Town Council will consider taking a possible position on State LD 1177 – Binding arbitration in union negotiations. [*\(This item was discussed at 9:35 p.m.\)*](#)

Manager Eldridge introduced this item.

Councilor Millett spoke regarding this item.

Chair Perreault moved, Councilor Millett seconded, to provide a letter in opposition to LD 1177 “An Act to Improve Public Sector Labor Relations” regarding binding arbitration in public sector union negotiations. The motion carried with seven (7) yeas. Councilor Ankeles was opposed.

CORRESPONDENCE/COMMITTEE REPORTS [*\(This item was discussed at 9:38 p.m.\)*](#)

Councilor Millett encouraged Councilors to read the letter they received from a Cedar Street resident(s).

CONSENT AGENDA [*\(This item was discussed at 9:39 p.m.\)*](#)

- a) Minutes of June 3, 2019
- b) Approval of a Utility Location Permit (ULP) for Maine Natural Gas for a gas main extension in the vicinity of Harriet Beecher Stowe School

Councilor Watson moved, Councilor Watkinson seconded, to approve Consent Agenda A. The motion carried with seven (7) yeas. Councilor Walker abstained since he was not at the June 3rd meeting.

Councilor Watson moved, Councilor Watkinson seconded, to approve Consent Agenda B. The motion carried with eight (8) yeas.

(A copy of supporting materials for CA-b will be attached to the official minutes.)

Town Council Minutes

June 17, 2019

Page 7

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

[The meeting adjourned at 9:40 p.m.](#)

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

Frances M. Smith

Town Clerk

June 20, 2019

July 1, 2019

Date of Approval

Council Chair