

Approved
BRUNSWICK TOWN COUNCIL
Minutes
July 1, 2019
Regular Meeting – 6:30 P.M.
Council Chambers
Town Hall
85 Union Street

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

Councilors Absent: Christopher Watkinson

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Julia Henze, Finance Director; Matt Panfil, Director of Planning and Development; Richard Rizzo, Police Chief; Tom Farrell, Director of Parks and Recreation; Tom Garrepy, Police Commander; and TV video crew

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

Adjustments to Agenda: None

Public Comments/Announcements (for items not on the agenda) [*This item was discussed at 6:31 p.m.*](#)

Jean Powers, 40 Redwood Lane, spoke regarding the high school track project and how the RunBrunswick website needs to be updated with the amount of money they have raised.

MANAGER’S REPORT [*\(This item was discussed at 6:33 p.m.\)*](#)

a) Trash and Recycling Collection

Manager Eldridge provided this update.

b) Pleasant/Mill/Stanwood

Manager Eldridge provided this update.

c) Cedar Street Parking Lot

Manager Eldridge provided this update.

d) Cook’s Corner Connector and Cook’s Corner Traffic

Manager Eldridge provided this update.

PUBLIC HEARING

88. **The Town Council will hear public comments on the renewal of an Alcoholic Beverage license for Benchwarmers Sports Pub, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 6:36 p.m.\)*](#)**

Full-Time Spirituous, Vinous & Malt
Red Ledges, LLC
D/B/A: Benchwarmers Sports Pub
212 Maine Street

Darcie Couture

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Tom Garrepy, Police Commander, provided information on this item and responded to questions from Councilor Walker, Councilor Mason, and Councilor Millett.

Darcie Couture, license holder of Benchwarmers, spoke regarding this item, and responded to questions from Councilor Jenkins, Councilor Wilson, and Councilor Millett.

Helene Marsh-Harrower, investor in Benchwarmers, spoke regarding this item and responded to questions from Chair Perreault.

Councilor Jenkins, Councilor Millett, Councilor Watson, and Councilor Wilson spoke regarding this item.

Chair Perreault closed the public hearing.

Councilor Walker moved, Councilor Jenkins seconded, to approve an Alcoholic Beverage license for Benchwarmers Sports Pub, 212 Maine Street. The motion carried with seven (7) yeas. Councilor Millett was opposed.

89. **The Town Council will hear public comments on Special Amusement licenses for the Brunswick Hotel and Tavern and Pat's Pizza of Brunswick, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 7:11 p.m.\)*](#)**

Special Amusement
Maine & Noble, LLC
D/B/A: Brunswick Hotel and Tavern
4 Noble Street

J. Hilary Rockett, Jr.

C.G.K., LLC
D/B/A: Pat's Pizza of Brunswick

Chris Kyle

112 Pleasant Street

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item and responded to Councilor Millett's questions.

Chair Perreault closed the public hearing.

Councilor Mason moved, Councilor Ankeles seconded, to approve Special Amusement licenses for the Brunswick Hotel and Tavern, 4 Noble Street, and Pat's Pizza of Brunswick, 112 Pleasant Street. The motion carried with eight (8) yeas.

- 90. The Town Council will hear public comments on proposed zoning ordinance text amendments, and will take any appropriate action. (Town Manager Eldridge)**
(This item was discussed at 7:14 p.m.)

Chair Perreault opened the public hearing.

Matt Panfil, Director of Planning and Development, introduced this item and responded to questions from Councilor Millett.

Chair Perreault closed the public hearing.

There was no objection to voting on this item tonight.

Councilor Walker moved, Councilor Watson seconded, to adopt proposed zoning ordinance text amendments to the Brunswick Zoning Ordinance. The motion carried with eight (8) yeas.

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

- 91. The Town Council will hear public comments 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 7:19 p.m.)*

Chair Perreault opened the public hearing.

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

Mr. Farrell and **Melissa Fochesato**, Access Health, responded to questions from Councilor Walker, Councilor Wilson, Chair Perreault, and Councilor Mason.

Councilor Millett read a letter from **Elizabeth Sokoloff**, School Board member.

Councilor Ankeles read a letter from **Amelia Feeley**, Tarratine Drive.

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Councilor Walker and Councilor Mason asked questions, to which Commander Garrepy responded.

Councilor Wilson, Councilor Millett, and Chair Perreault spoke regarding this item.

Gary Caron, nonresident, spoke regarding this item.

Melissa Fochesato, Penny Lane, spoke regarding this item.

Margo Knight, Chair of the Master Plan Implementation Committee, spoke and answered questions from Councilor Ankeles and Councilor Walker.

Ms. Smith spoke regarding this item.

Councilor Watson spoke regarding this item.

Chair Perreault closed the public hearing.

Councilor Millett moved, Councilor 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. Councilor Walker and Councilor Ankeles were opposed.

Councilor Walker and Councilor Ankeles spoke regarding this item.

Councilor Millett moved, Councilor Wilson seconded, to adopt the proposed Tobacco-Free Ordinance amendment to Chapter 14, Article VIII, Sec. 14-211 of the Municipal Code of Ordinances and to Appendix B, Master Schedule of Revenues, Charges, Fees and Fines.

AMENDMENT

Councilor Ankeles moved, Councilor Mason seconded, to amend the motion to remove the Maine Street restriction in Section 14-212 (3).

Councilor Mason, Councilor Millett, Councilor Wilson, Councilor Ankeles, Councilor Jenkins, and Chair Perreault spoke regarding the amendment.

Chief Rizzo responded to questions from Chair Perreault and Councilor Watson.

VOTE ON AMENDMENT

Councilor Ankeles moved, Councilor Mason seconded, to amend the motion to remove the Maine Street restriction in Section 14-212 (3). The motion failed with three (3) yeas. Councilor Watson, Councilor Jenkins, Chair Perreault, Councilor Millett, and Councilor Kathy Wilson were opposed.

VOTE ON MAIN MOTION

Councilor Millett moved, Councilor Wilson seconded, to adopt the proposed Tobacco-Free Ordinance amendment to Chapter 14, Article VIII, Sec. 14-211 of the Municipal Code of Ordinances and to Appendix B, Master Schedule of Revenues, Charges, Fees and Fines. The motion carried with six (6) yeas. Councilor Walker and Councilor Mason were opposed.

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

NEW BUSINESS

92. The Town Council will consider authorizing the Police Department to accept the transfer of forfeiture assets from a drug arrest in the amount of \$2,311.00, if approved by the court, and will take any appropriate action. (Town Manager Eldridge) *(This item was discussed at 8:15: p.m.)*

Chief Rizzo introduced this item.

Councilor Millett moved, Councilor Wilson seconded, to authorize the Police Department to accept and expend \$2,311.00 in forfeiture funds from a drug trafficking arrest, if approved by the court. The motion carried with eight (8) yeas.

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

93. The Town Council will consider granting a Seller of Prepared Food on Public Way license for outdoor seating for Portland Pie, 92 Maine Street, and a Seller of Prepared Food on Public Way license for Businesses on the Mall (food vendors) for Anything Go's, and will take any appropriate action. (Town Manager Eldridge) *(This item was discussed at 8:17: p.m.)*

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Jessica Caron, owner of Anything Go's, spoke regarding this item.

Chair Perreault closed the public hearing.

Councilor Wilson moved, Councilor Millet seconded, to approve a Seller of Prepared Food on Public Way license for Portland Pie, 92 Maine Street, with the requirement that their sandwich board is on the same side as the seating so there is straight line, and to approve Anything Go's on the Mall. The motion carried with eight (8) yeas.

94. The Town Council will consider setting a public hearing for July 15, 2019, regarding a "Resolution Amending the Municipal Budget For the Period July 1, 2019 to June 30, 2020", and will take any appropriate action. (Town Manager Eldridge) *(This item was discussed at 8:24 p.m.)*

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Manager Eldridge introduced this item.

Councilor Millett indicated that the Council had received emails from Allison Basile, Jean Powers and Gill Peterson.

Councilor Mason, Councilor Ankeles, and Councilor Millett asked questions, to which Manager Eldridge responded.

Councilor Walker and Councilor Mason spoke regarding this item.

Julia Henze, Finance Director, spoke regarding this item

Jean Powers, 40 Redwood Lane, spoke regarding this item.

Sarah Brayman, 10 McKeen Street, spoke regarding this item.

Chair Perreault moved, Councilor Walker seconded, to set a public hearing for July 15, 2019, regarding “A Resolution Amending the Municipal Budget For the Period July 1, 2019 to June 30, 2020”. The motion carried with eight (8) yeas.

95. **The Town Council will consider authorizing the Town Manager to sign lease agreements with the Brunswick Sewer District for recreational land at Lishness Field, and will take any appropriate action. (Town Manager Eldridge) ([*This item was discussed at 8:45 p.m.*](#))**

Manager Eldridge introduced the item

Councilor Wilson moved, Councilor Watson seconded, to renew the Town’s leases with the Brunswick Sewer District for the Lishness Field ballfields, hockey rink and parking areas until June 30, 2025. The motion carried with eight (8) yeas.

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

96. **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 at 8:47 p.m.*](#))**

Councilor Mason made the following nominations:

Planning Board:

- Alison Harris for a balance of a 3-year term to expire on 02/23/2020

Recreation Commission:

- Mike Lyne and Eric Foushee (reappointments) for 3-year terms to expire on 07/01/22

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Recycling and Sustainability Committee:

- Holly Green and Jennifer Hicks (reappointment) for a balance of 3-year terms to expire on 01/01/2022
- Chrissy Adamowicz (new) for a balance of a 3-year term to expire on 01/01/2022

Water District:

- Claude Philippon (reappointment) for a term to expire 9/13/2022.

Council approved the above nominations

The Appointments Committee made these nominations:

Comprehensive Plan Committee:

Citizen members:

- Larissa Darcy
- Catherine Ferdinand
- Anthony Sachs
- Jacqueline Sartoris
- Elizabeth Kohler
- Fred Koerber

Planning Board member:

- Sande Updegraph

Councilor Ankeles nominated Alison Harris as a citizen member

Councilor Millett nominated Marcelle McGuire as a citizen member

The Council supported all nominations

Councilor Millett, Councilor Walker, and Councilor Mason spoke regarding this item.

Chair Perreault appointed the following Councilors to the Comprehensive Plan Committee:

Councilor Wilson, Councilor Watkinson and Chair Perreault

CORRESPONDENCE/COMMITTEE REPORTS *(This item was discussed at 9:03 p.m.)*

Reports were given regarding the Recycling and Sustainability, Rivers and Coastal Waters Commission, and Finance Committee.

CONSENT AGENDA *(This item was discussed at 9:06 p.m.)*

a) Approval of the minutes of June 17, 2019

b) Approval of a quitclaim deed for real estate depicted as Map 051, Lot 001, Sub 000, Typ 298

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

Executive Session: To discuss labor negotiations per 1 M.R.S.A. §405(6)(D)

Councilor Watson moved, Chair Perreault seconded, to go into executive session to discuss labor negotiations per 1 M.R.S.A. §405(6)(D) and adjourn from the executive session. The motion carried with eight (8) yeas.

[The regular meeting adjourned at 9:07 p.m.](#)

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

Frances M. Smith

Town Clerk

July 16, 2019

August 5, 2019

Date of Approval

Council Chair