

BRUNSWICK TOWN COUNCIL

Agenda

October 5, 2009

Executive Session: 6:30 P.M.

Regular Meeting: 7:00 P.M.

Municipal Meeting Room

Maine Street Station

16 Station Avenue

Executive session – Labor Negotiations Per M.R.S.A. §405(6)(D)

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Adjustments to the Agenda:

MANAGER'S REPORT:

- (a) Council Committee Updates
- (b) Announcement of annual Household Hazardous Waste Collection Day
- (c) Authorization of Homeland Security Grant Program (Action Required)
- (d) Update on the MRRA workshop
- (e) Update on the cost to move Cable TV
- (f) Acceptance of EMPG Grant

PUBLIC HEARINGS:

- 146. The Town Council will hear public comments on Traffic Ordinance amendments regulating parking for Station Avenue, and will take any appropriate action. (Manager)
HEARING/ACTION

- 147. The Town Council will hear public comments on An Ordinance Amending Prior Bond Ordinance to Increase the Amount of Bonds and Notes Authorized to be Issued from an Amount Not to exceed \$750,000 to an Amount Not to Exceed \$1,250,000 and Appropriating Additional Funds Constituting the Bath Road Corridor Impact Fees, to Finance the Reconstruction of Bath Road, and will take any appropriate action. (Manager)
HEARING/ACTION

148. The Town Council will hear public comments on amending the Bath Road TIF, and will take any appropriate action. (Manager)

HEARING/ACTION

TABLED:

145. The Town Council will discuss actions surrounding the proceeds of the sale of the Harbor Technology Building and use of the funds, and will determine if any future action is necessary. (Councilor Klatt)

DISCUSSION

NEW BUSINESS ITEMS:

149. The Town Council will consider approving Maine Natural Gas easements within the Municipal parking lots adjacent to the Town Office and Central Fire Station, and will take any appropriate action. (Manager)

ACTION

150. The Town Council will consider setting a public hearing on Ordinance amendments relative to allowing chickens within the Growth Zone, and will take any appropriate action. (Councilor Pols, Councilor Daughtry, and Councilor Atwood)

ACTION

151. The Town Council will consider setting a public hearing to accept a \$50,000 CDBG Economic Development award on behalf of Maine Tool & Machine LLC to fund the extension of three phase power to 228 Old Portland Road, and will take any appropriate action. (Manager)

ACTION

152. The Town Council will discuss crosswalk flags, and will determine if any future action is necessary. (Councilor Knight)

DISCUSSION

153. The Town Council will consider approving a union contract with the Public Works Teamsters Union, and will take any appropriate action.

ACTION

154. The Town Council will consider authorizing the Town Manager to fill the OEA grant funded position, proposed to be a Special Project Assistant, and will take any appropriate action. (Manager)

ACTION

155. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Manager)

ACTION

CONSENT AGENDA

- (a) Approval of the Minutes of September 21, 2009
- (b) Appointment of wardens and deputy wardens for the Election on November 3, 2009
- (c) Set extended registrar hours for the Election on November 3, 2009
- (d) Approve election warrant for the Election on November 3, 2009
- (e) Approval of Utility Location Permits for Maine Natural Gas

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION
SHOULD CONTACT THE TOWN MANAGER'S OFFICE AT 725-6659
(TDD 725-5521)**

Brunswick Town Council
Agenda
October 5, 2009
Council Notes and Suggested Motions

Executive Session – Labor Negotiations Per M.R.S.A. §405(6)(D)

Motion to go into Executive Session to discuss Labor Negotiations Per M.R.S.A. §405(6)(D).

MANAGER’S REPORT:

- (a) Council Committee Updates: Councilors with information on the Committees they are involved with will share information with the Council and public.

Suggested Motion: No proposed motion.

- (b) Announcement of annual Household Hazardous Waste Collection Day: This item is to notify the public of this Collection Day, which occurs on Saturday, October 17th from 9:00 a.m. to 1:00 p.m. at the Public Works Department. Pre-registration is required and more information is available on the Town’s web page.

Suggested Motion: No proposed motion.

- (c) Authorization of Homeland Security Grant Program (Action Required): Chief Labbe is requesting the Town Council authorize the Town to apply for a Homeland Security Grant after the fact with a total request of \$29,000. It will support three activities: to provide classroom emergency supplies, to fund a part-time Emergency Management Planner, and to provide training and equipment for the CERT team. Chief Labbe’s memo and letter explain these requests further and are included in your packet.

Suggested Motion:

Motion to authorize the Fire Department to retroactively apply for Department of Homeland Security funds in the amount of \$29,000 to fund projects as outlined in the letter from the Fire Chief to Cumberland County EMA.

- (d) Update on the MRRA workshop: Manager Brown will update the public on the joint MRRA and Council workshop held on Monday, September 28th.

Suggested Motion: No proposed motion.

- (e) Update on the cost to move Cable TV: Manager Brown will update the Council and public on the cost of moving Cable TV 3 from McKeen Street to the Times Record Building and then to relocate from that building to Maine Street Station. The first move cost \$10,199.43 and the second one was approximately \$6,500. Copies of memos are included in your packet.

Suggested Motion: No proposed motion.

- (f) Acceptance of EMPG Grant: This item is to accept a grant the Fire Department has received from the Emergency Management Performance Grant program. Chief Labbe will be at your meeting to answer any questions. A copy of the award letter is included in your packet.

Suggested Motion:

Motion to accept and expend a Local Capacity Grant under the Emergency Management Performance Grant (EMPG) in the amount of \$33,264.50.

PUBLIC HEARINGS:

146. This item is to hear public comments on proposed amendments to the Traffic Ordinance relative to regulating parking on Station Avenue. Since this is a new street, currently there are no regulations and the proposed ones before you have been reviewed by staff and are consistent with the Planning Board's recommendations. Copies of the public hearing notice, proposed amendments, and a map outlining the parking are included in your packet.

Suggested Motion:

Motion to adopt ordinance amendments to Chapter 15 of the Brunswick Municipal Code of Ordinances relative to parking regulations on Station Avenue.

147. This item is to hear public comments on an ordinance amending a prior bond ordinance, which would increase the amount of bonds and notes authorized from an amount not to exceed \$750,000 to an amount not to exceed \$1,250,000 to finance the reconstruction of sections of Bath Road. This amendment reflects the increased cost of the project and is a necessary step to take if the TIF district is amended in the next item. John Eldridge will be at the meeting to answer any questions. Copies of the public hearing notice and the proposed Bond Ordinance are included in your packet.

Suggested Motion:

Motion to adopt An Ordinance Amending Prior Bond Ordinance to Increase the Amount of Bonds and Notes Authorized to be Issued from an Amount Not to exceed \$750,000 to an Amount Not to Exceed \$1,250,000 and Appropriating Additional Funds Constituting the Bath Road Corridor Impact Fees, to Finance the Reconstruction of Bath Road.

148. This item is to hear public comments on amending the Bath Road TIF. Amending the TIF will meet the following goals:
- Reduce the geographic size and adjust the boundaries so that the amended TIF will cover the area between Thomas Point Road and Old Bath Road. This is to coincide with the Bath Road improvements already authorized by bond ordinance.
 - Extend the TIF life. It is due to expire at the end of October 2009, because that is the last payment due on the Bath Road Sewer bonds issued in 1990. By law, the TIF can only be extended for 10 years.
 - Capture sufficient incremental valuation to pay the 10 year debt service on the bonds to be issued for the Bath Road improvements. Capturing the value will allow us to enjoy the valuation "shifts" that help us with Education Aid, Revenue Sharing, and the County tax.

John Eldridge will be at your meeting to answer any questions you may have. Copies of the public hearing notice, Resolution, and the full Second Amendment to the Development Program for Bath Road Municipal Development District are included in your packet.

Suggested Motion:

Motion to adopt the Resolution Approving the Amendment to the Bath Road Development Program and Tax Increment Financing District.

TABLED ITEMS:

145. This item was tabled at your last meeting at the request of Councilor Klatt so more information could be gathered. John Eldridge has been working on a timeline of events surrounding the selling and allocation of funds related to the sale of the Harbor Technology Building. Copies of the materials provided last time, along with a timeline, are included in your packet.

Suggested motion:

There is no suggested motion since this is a discussion item.

NEW BUSINESS ITEMS:

149. This item is to have the Council consider approving Maine Natural Gas easements within the Municipal parking lots adjacent to the Town Office and Central Fire Station. These are different from other Utility permits you approved since they are on Town property and not on the Town rights-of-way. Therefore, they need to be done as easements versus permits. Representatives for MNG will be at your meeting to answer any questions. Copies of a letter from Wright-Pierce and the easements, with maps, are included in your packet.

Suggested motion:

Motion to approve easements for Maine Natural Gas within the Municipal parking lots adjacent to the Town Office and Central Fire Station.

150. Councilor Pols, Chair Daughtry and Councilor Atwood are sponsoring this item. It is to set a public hearing for October 19, 2009, on a proposed ordinance relative to allowing chickens within the Growth Zone, which is currently prohibited. The Council had discussed this in July after the Planning Board provided their recommendations, and requested further work be done. Staff has drafted an ordinance which will require an annual fee and inspection, along with regulations for the coops' construction. Staff will be at your meeting to answer questions relative to the proposal. Copies of a memo and draft ordinance language are included in your packet.

Suggested motion:

Motion to set a public hearing for October 19, 2009, on proposed ordinance amendments relative to allowing chickens within the Growth Zone.

151. This item is to set a public hearing for October 19, 2009, to accept a \$50,000 CDBG Economic Development award on behalf of Maine Tool & Machine LLC to fund the

extension of three phase power to 228 Old Portland Road. Maine Tool & Machine has signed a commitment letter with Androscoggin Bank for two loans totaling \$697,500. While this “secured” project financing exceeds the \$685,000 cash match pledged in the Town’s CDBG application, Androscoggin Bank is seeking SBA approval for an SBA 504 loan for \$310,000 of the above amount. So, pending SBA approval, which should be confirmed before the October 19 public hearing, the final deal structure will involve both Androscoggin Bank and the SBA. A copy of a memo from Brian Dancause is included in your packet.

Suggested motion:

Motion to set a public hearing for October 19, 2009, to accept a \$50,000 CDBG Economic Development award on behalf of Maine Tool & Machine LLC to fund the extension of three phase power to 228 Old Portland Road.

152. Councilor Knight is sponsoring this discussion relative to the use of crosswalk flags. The Brunswick Downtown Association, in the interest of pedestrian safety, has suggested that the Town incorporate the use of pedestrian crosswalk flags at four crosswalks on Maine Street, from Pleasant to Mason Street. Pedestrians would pick up an orange flag from a receptacle at one side of the street, hold it up indicating their intent to cross and then remaining visible as they cross the street. Once reaching the other side they place the flag in the receptacle on the other side of the street. This is a low-tech, low-cost system that is used successfully in several cities to make it safer for pedestrians to cross the street, and is similar to something the Town of Brunswick used several years ago at the suggestion of former Town Councilor Faith Moll. This would entail the purchase of flags, receptacles for those flags (to be attached to light poles), and signs with instructions for their use. The costs of the flags and receptacles for those four crosswalks would be approximately \$1,000. The BDA has offered to provide the signs and instructions for use.

Suggested motion:

There is no suggested motion since this is a discussion item.

153. This item is to approve the union contract between the Town of Brunswick and the Public Works Teamsters Union.

Suggested motion:

Motion to approve the Union Contract between the Town of Brunswick and the Public Works Teamsters Union.

154. This item is to consider authorizing the Town Manager to fill the OEA grant funded position, proposed to be a Special Project Assistant. Manager Brown is looking for approval from the Council to move forward on filling this largely grant funded position to primarily act as a liaison between the Town and MRRA. A copy of a memo from Manager Brown is included in your packet.

Suggested motion:

Motion to authorize the Town Manager to fill the OEA grant funded position, proposed as a Special Project Assistant, to act as a liaison between the Town of Brunswick and MRRA, along with other duties as assigned by the Town Manager.

155. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. Copies of the applications are included in your packet.

Suggested Motion:

Nominations will be made, with no seconds required, and the Council will then vote on the nominations.

CONSENT AGENDA

- (a) Approval of the Minutes of September 21, 2009: A copy of the minutes is included in your packet for your review and approval.
- (b) Appointment of wardens and deputy wardens for the Election on November 3, 2009: This item is for the appointment of wardens and deputy wardens for the upcoming election. A copy of a memo from the Town Clerk, along with the list of nominees, is included in your packet.
- (c) Set extended registrar hours for the Election on November 3, 2009: This item is to set extended hours for voter registration as outlined in state law. A copy of a memo from the Town Clerk is included in your packet.
- (d) Approve election warrant for the Election on November 3, 2009: This item approves the election warrant for the Town's municipal election. A copy of the warrant is included in your packet.
- (e) Approval of Utility Location Permits for Maine Natural Gas: This item will approve three applications for permits for locations on Bank Street, Pleasant Street and Cumberland Street. Copies of a memo from John Foster, the permits, and maps are included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.

MANAGER'S REPORT –
A and B
NO BACK UP MATERIALS

MANAGER'S REPORT - C
BACK UP MATERIALS



BRUNSWICK FIRE DEPARTMENT

21 Town Hall Place
Brunswick, Maine 04011

Clark G. Labbe, Chief

Phone (207)725-5541

FAX (207)725-6638

email clabbe@brunswickme.org



Date: September 22, 2009
To: Gary Brown, Town Manager
From: Clark Labbe, Chief
Subject: Homeland Security Grant Program (HSGP)

The 2009 HSGP grant application needs to be submitted this week. I made this opportunity known to the department heads and other emergency management partners by email on August 25th and again at the Department Head retreat. I have received a request for classroom emergency supplies from the school department and will be submitting that request on their behalf. The two local hospitals will also be submitting request individually for radio communications projects. I have had no other input from the departments.

With your approval I intend to submit a request for \$15,000 to augment local dollars already being expended and EMPG funds we currently receive. Combined, these funds could support a part time (approx. 16 hrs/wk) Emergency Management Director position for the Town.

The duties and responsibilities of Emergency Management have outgrown a stipend position attached to the Fire Chief and the fire department deserves the full attention of a Chief. A part-time director could complete all the emergency annexes needed in the town's emergency plan including sheltering and debris management plans, coordinate planning with the hospitals and other health care agencies, schools, Bowdoin College, the business community and county and state EMAs. Other routine duties include completion and maintenance of required training for town employees, inventorying emergency resources and credentialing personnel, hazard analysis, disaster assessment and mitigation strategies and identifying and managing grant opportunities to name a few. As a resource to the public safety Chiefs, Town Manager and Public Works Director this individual would manage the Emergency Operations Center during disaster response and recovery.

In addition to maintaining compliance with Federal and State mandates this commitment to emergency management would result in a better prepared, safer community and would open opportunities to additional grant funds that I am certain would outweigh the cost of the position

The town currently appropriates \$2,000 for my EMA stipend and last year expended approximately \$8,500 for part-time planning assistance. EMPG grants reimburse the town for a minimum of 50% of these local costs. Given that the performance period for this grant is through 31 August, 2012 I would like to request \$15,000 which added to our current expenditure and the EMPG reimbursement would total \$60,000 and fund a position at 16 hrs/wk, approximately \$25/hr, through FY 11/12.



BRUNSWICK FIRE DEPARTMENT

21 Town Hall Place
Brunswick, Maine 04011

Clark G. Labbe, Chief
Phone (207)725-5541
FAX (207)725-6638
email clabbe@brunswickme.org



James Budway, Director
Cumberland County EMA
22 High Street
Windham, ME 04062

September 23, 2009

Submitted electronically by email

Dear Jim,

The Town of Brunswick is seeking 2009 SHSGP funding in the amount of \$29,000 to support the three following specific activities:

- A) Provide classroom emergency supplies in accordance with the school emergency plan for the six schools in Brunswick. \$6,000

A similar request last year for a more comprehensive inventory of classroom and school office supplies went unfunded but the need remains. The request has been reviewed and the list of items trimmed to what the school emergency teams feel are the minimum requirements for student safety and security during lockdowns or natural or manmade disasters of any significant duration. Items such as communications equipment, flashlights, first aid supplies, surgical gloves, food stuff, a portable stretcher per school and classroom Go-Bags are included.

- B) Augment the Town's current EMA budget to allow hiring a part-time Emergency Management Planner. \$15,000

Currently Brunswick appropriates approximately \$10,000 annually for personnel costs related to emergency management. The recent opportunity to apply for EMPG funds has provided for some unplanned growth at an opportune time as BNAS closes and the Town takes over significant responsibility while suffering reduced revenues. The \$15,000 requested together with the current municipal appropriation will allow the Town to create a permanent part-time position through the performance period which ends 31 August 2012. The position is anticipated to be 16 hours / week at a rate of approximately \$25 / hour including benefits. Lesser funding if provided would be used for the same purpose but with a shorter duration and the likelihood of additional requests in the future.

- C) Training, equipping and expansion of the MidCoast (Brunswick) CERT. \$8,000

The CERT has proven to be a valuable asset for Brunswick and the region providing amateur radio capabilities for exercises and disasters (last year's ice storm). In addition during the ice storm and extended power outages the team worked closely with police, fire & EMS to conduct a community wide door to door assessment; that effort resulted in a life saved. The requested funds will provide for recertification training, some additional equipment and new equipment to allow growth of the team by up to five members.

Within each of these activities I believe you can see that the minimal monetary request will have a significant impact on the safety of students in our schools and the overall emergency preparedness of the community.

Respectfully,



Clark G. Labbe

Fire Chief / EMA Director

Attached: Brunswick's application for 2009 SHSGP school funding
Brunswick's application for 2009 SHSGP planner funding
Brunswick's application for 2009 SHSGP CERT funding

MANAGER'S REPORT -D
NO BACK UP MATERIALS

MANAGER'S REPORT - E
BACK UP MATERIALS

TOWN OF BRUNSWICK
TOWN MANAGERS OFFICE
MEMORANDUM

TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: September 29, 2009

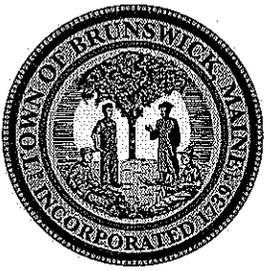
RE: Cost to relocate Cable 3 from Times Record Building to Maine Street Station

I have been asked to provide the cost of relocating Cable 3 from McKeen Street to the Times Record Building and the subsequent cost to relocate to the Maine Street Station facility.

Attached is a memo from Buddy Rogers that identifies the cost to relocate from McKeen Street to Times-Record. The total for that relocation is \$10,199.43.

We do not have all of the final costs billed yet for the relocation to Maine Street Station but it will be approximately \$6,500.

If you have additional questions, please let me know.



Brunswick Town Facilities

28 Federal Street, Brunswick, Maine 04011
Phone: (207) 725-6654 / Fax (207) 725-6655
www.brunswickme.org

Craig N. Worth, Facilities Manager
e-mail: CWorth@BrunswickME.org

"Buddy" Rogers, Facilities
e-mail: BRogers@BrunswickME.org

Gary Brown, Town Manager

September 25, 2009

Re: Cost breakdown for setting up TV3 at the Old Times Record building at 6 Industry Rd.

Gary:

Per your request I have compiled invoices of the move of the TV3 operations from 44 McKeen St. to the 6 Industry Rd. location. I have also added a brief description what the items were for.

Clark wire and cable: \$1049.58 this was to purchase cable for the 5 cameras both controller and coax. The CAT5 and CAT 6 cable was used for computer networking, telephone, and Internet. Because of where we had to enter the building the Internet and Telephone runs were around 200 feet per run and there were 5 total.

Frohmler Construction: \$745.00 this was done to reverse the door swing of the doors. The two sets of doors we reversed opened into the room and the life safety code says to accommodate more than 50 people the doors to the space must open out.

Midcoast Electric: \$4321.35 this was time and materials needed to pull all necessary cabling and do the necessary electrical work to power the cameras, TV's, camera operator's console and the TV3 distribution rack.

Northeast Security \$148.00 to install the wireless transmitter for the panic buttons I had removed from 44 McKeen St. when we left.

Home Depot \$10.19 to purchase a hole saw to mount the microphones into the tables.

Radio Shack \$2.59 to purchase a special connector for the camera controller.

Home Depot \$57.32 to purchase misc. hardware, wall anchors, hooks, cable chase, and zip ties.

Grady's Radio & Satellite T.V. \$292.00 to relocate and install 2 mini satellite dishes.

Bisson Transportation Inc. \$3135.00 cost to move TV3 and meeting room furniture from McKeen st. to Industry Rd.

Home Depot \$38.40 to purchase ceiling tiles to replace the tiles at 6 Industry Rd. we had to cut holes in for speakers.

Audio Design \$400.00 to purchase a 150 foot audio snake. This is the box that sits on the floor that the microphones plug into.

Thank You

Buddy Rogers, Facilities

0*^{*}

1,049.58+

745.00+

4,321.35+

148.00+

10.19+

2.59+

57.32+

292.00+

3,135.00+

38.40+

400.00+

10,199.43◊

10,199.43*

MANAGER'S REPORT - F BACK UP MATERIALS



JOHN ELIAS BALDACCI
GOVERNOR
MG JOHN W. LIBBY
COMMISSIONER

STATE OF MAINE
DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
MAINE EMERGENCY MANAGEMENT AGENCY
72 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0072

PHONE: 207-624-4400/800-452-8735
FAX: 207-287-3178

ROBERT P. McALEER
DIRECTOR

September 29, 2009

Clark G. Labbe
Fire Chief / EMA Director
Town of Brunswick
Brunswick Fire Department
21 Town Hall Place
Brunswick, Maine 04011

Dear Chief Labbe:

Please accept this letter as the formal award of a Local Capacity Grants under the Emergency Management Performance Grant (EMPG) to the Town of Brunswick through the Maine Emergency Management Agency (MEMA).

This award is for federal fiscal years 2009 and 2010, from July 1, 2009 to June 30, 2010. You have provided a comprehensive program of emergency management work for this period. This program of work is approved.

Your budget proposal of \$33,264.50 has been approved, which includes cash match being supplied by the Town of Brunswick and projected use of volunteer time. MEMA will reimburse through the EMPG grant no less than 50% of approved expenditures upon submission of periodic statements along with supporting documentation. Reimbursement may reach 100% of expenditures with sufficient in-kind match.

We have included with this award letter a Memorandum of Understanding which must be signed by a town official in order to reimburse funds under this grant.

Documentation of cash expenditures must include copies of invoices, pay vouchers, etc. These expenditures must have been incurred during the performance period of the grant. Documentation of volunteer time must include copies of valid rosters or time sheets filled out at the time of the volunteer activity.

Any County/City/Town who received a total of \$500,000 or more in Federal Financial Assistance from all sources is required to conduct an A-133 audit and must submit a copy of the

completed audit to MEMA. The contract number is 2009-EP-E9-0046 and the CFDA number is 97.042.

Please continue to work with MEMA on record-keeping and billing procedures for this Local Capacity Grant to ensure that we are jointly meeting all state and federal grant requirements.

Sincerely,

A handwritten signature in cursive script that reads "Lynette C Miller".

Lynette Miller
Director, Special Projects

cc: Cumberland County EMA

ITEM 146

BACK UP MATERIALS



**TOWN OF BRUNSWICK
PUBLIC HEARING**

THE BRUNSWICK TOWN COUNCIL will hold a public hearing at their regular meeting on Monday, October 5, 2009, 7:00 p.m. in the Municipal Meeting Room (Room 217), Maine Street Station, 16 Station Avenue, to receive public comment regarding Chapter 15, Traffic Ordinance amendments for parking regulations for Station Avenue.

A copy of the full proposed ordinance is available at the Town Clerk's office, 28 Federal Street, or on line at <http://www.brunswickme.org/clerk/publichearings.htm>.

INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE
COMMUNICATION PLEASE CONTACT THE TOWN MANAGER'S OFFICE AT
725-6653 (TDD 725-5521)

Fran Smith, Town Clerk
Brunswick, Maine

Times Record: September 24, 2009



**Proposed Ordinance Amendments
Relative To Parking at Station Avenuer
Drafted – 09/14/2009
Public Hearing –
Adopted –
Effective –**

**Chapter 15
TRAFFIC AND VEHICLE**

Be it ordained by the Town Council of the Town of Brunswick, Maine, that Chapter 15, Articles III and IV, the Municipal Code of Ordinances, Town of Brunswick, Maine, is amended by adding the underlined text and removing the struck-out language as follows:

Sec. 15-47. Through streets.

The following public ways are designed as through streets: ...

Station Avenue beginning at Maine Street and continuing to Union Street.

Sec. 15-50. Right turn only.

A right turn only movement is required at the following locations and intersections:...

(3) ~~At the junction of Maine Street and the exit from Maine Street~~ Station Avenue where it intersects Maine Street ~~so-called, such exit being forty (40) feet southerly from the tracks of the Maine Central Railroad.~~

Add the following new section:

Sec. 15-54. Reverse Angle Parking.

All designated angle parking spaces as indicated by pavement markings on Station Avenue shall only be occupied by a vehicle that backs into the space so that the front of the vehicle is facing out away from the curb. Parking in any other manner than backing in is prohibited and considered a violation of this ordinance.”

Sec. 15-74. No-parking areas.

The following areas are designated as no-parking areas: ...

Maine Street, west side, commencing at Station Avenue and extending southerly thirty two (32) feet.

Station Avenue, north side, commencing at Maine Street and extending westerly one hundred sixty four (164) feet.

Station Avenue, south side, commencing at Maine Street and extending westerly two hundred fifteen (215) feet.

Station Avenue, north side, commencing two hundred thirty nine (239) feet west of the intersection of Maine Street and extending westerly one hundred and eighty two (182) feet.

Union Street, east side, commencing at Station Avenue and extending northerly one hundred twenty five (125) feet.

Union Street, east side, commencing at Station Avenue and extending to Noble Street.

Station Avenue, south side, commencing at Union Street and extending easterly forty five (45) feet.

Station Avenue, south side, commencing one hundred five (105) feet east of Union Street and extending easterly one hundred seventy (170) feet.

Station Avenue, north side, commencing at Union Street and extending easterly sixty (60) feet.

Station Avenue, north side, commencing one hundred thirty (130) feet east of the intersection of Union Street and extending easterly eighty (80) feet.

15-76. Restricted on-street parking areas.

- (a) A person shall not park a vehicle for more than two (2) consecutive hours in any parking space adjacent to a curb between the hours of 8:00 a.m. and 6:00 p.m. on any day except Friday, Sunday, and a public holiday and between the hours of 8:00 a.m. and 9:00 p.m. on Friday in the following areas: ///

Station Avenue, all marked on-street parking spaces, both sides commencing at Maine Street and extending westerly to Union Street (excluding the 7 parking spaces located in front of the Midcoast Federal Credit Union).

Sec. 15-79. Loading zones designated.

Loading zones are established at the following locations: ...

Station Avenue, south side commencing five hundred thirty five (535) feet west of the intersection of Maine Street and extending westerly sixty (60) feet.

Station Avenue, north side commencing five hundred twenty six (526) feet west of the intersection of Maine Street and extending westerly sixty (60) feet.

Sec. 15-84. Bus stops designated.

(a) Bus stops are established at the following locations: ...

(3) Station Avenue, commencing two hundred (200) feet easterly of the intersection of Union Street and extending easterly one hundred ten (110) feet.

Adopted by the Brunswick Town Council at their Regular Meeting held on _____, 2009. It will become effective thirty days after adoption.

Attest: _____
Town Clerk

ITEM 147

BACK UP MATERIALS

**TOWN OF BRUNSWICK
NOTICE OF PUBLIC HEARING**

In accordance with 30-A M.R.S.A. and Section 211 of the Charter of the Town of Brunswick, Maine, notice is hereby given that the Municipal Officers for the Town of Brunswick will hold a Public Hearing on Monday, October 5, 2009, 7:00 p.m. in the Municipal Meeting Room (Room 217), Maine Street Station, 16 Station Avenue at the to consider the following:

An Ordinance Amending Prior Bond Ordinance to Increase the Amount of Bonds and Notes Authorized to be Issued from an Amount Not to exceed \$750,000 to an Amount Not to Exceed \$1,250,000 and Appropriating Additional Funds Constituting the Bath Road Corridor Impact Fees, to Finance the Reconstruction of Bath Road.

All interested person are invited to attend the public hearing and will be given the opportunity to be heard.

The amendment would increase the amount of general obligation bond authorized for the project from \$750,000 to \$1,250,000. Additionally, the amendment would allow the Town Manager to seek and utilize other funds for the project. The text of the proposed ordinance amendment is too extensive to be included with this notice. Anyone having questions about the proposed amendment or wishing to obtain copies of it should contact the Brunswick Town Clerk's or Town Manager's Office during regular office hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION
PLEASE CONTACT THE TOWN MANAGER'S OFFICE AT 725-6653 (TDD 725-5521)**

Frances M. Smith
Town Clerk of Brunswick, Maine

TOWN OF BRUNSWICK, MAINE

BOND ORDINANCE

An Ordinance Amending Prior Bond Ordinance

WHEREAS, the Brunswick Town Council previously adopted a Bond Ordinance on June 16, 2008 which, in part, authorizes the issuance of bonds and notes in an aggregate principal amount not to exceed \$750,000 to finance the cost to design, construct and reconstruct approximately 2,300 feet of Bath Road (the "Project"), and (the "Prior Ordinance"); and

WHEREAS, the Town Council desires to amend the Prior Ordinance to increase the authorized amount of bonds and notes to \$1,250,000;

NOW, THEREFORE, the following Ordinance Amendment is hereby enacted:

1. Section 1 of the Prior Ordinance is hereby amended and replaced in its entirety as follows:

Section 1. The issue and sale of the Town's general obligation bonds (and notes in anticipation thereof) be and hereby is authorized in the aggregate principal amount not to exceed One Million Two Hundred Fifty (\$1,250,000), and the proceeds of said bonds and notes be and hereby are appropriated to finance the cost to design, construct and reconstruct approximately 2,300 feet of Bath Road (the "Project"), to reimburse the Town for any prior expenditure on the Project or to refinance the notes, as the case may be.

2. Sections 21 of the Prior Ordinance is hereby amended and replaced in its entirety as follows:

Section 21. All of the Bath Road Corridor Impact Fees earned, collected and available throughout the duration of the project, along with any interest earned on the collected funds, (less any impact fees that may be required to be refunded, plus interest on amounts refunded), all as shall be determined by the Town's Finance Director, shall remain and be available for the Project, and are hereby appropriated to the costs of the Project.

3. New Section 22 is added to the Prior Ordinance as follows:

Section 22. The Town Manager is authorized to apply for grants and other forms of additional funding for this Project. Any grant funds or other additional funds shall be accepted by the Town Manger on behalf of the Town and expended on the Project in-lieu of, or in addition to, the amounts authorized to be expended from general obligation bonds or notes.

In all other respects, the Prior Order be and hereby is confirmed and approved and is and remains in full force and effect.

Proposed to Town Council: September 21, 2009
Public Hearing: October 5, 2009
Adopted by Town Council:

ITEM 148

BACK UP MATERIALS

**TOWN OF BRUNSWICK
NOTICE OF PUBLIC HEARING
AMENDMENT TO THE BATH ROAD DEVELOPMENT PROGRAM AND
TAX INCREMENT FINANCING DISTRICT**

The Town Council will hold a public hearing on Monday, October 5, 2009, 7:00 p.m. at the Municipal Meeting Room (Room 217), Maine Street Station, 16 Station Avenue, to receive public comment on proposed amendments to the Bath Road Development Program and Tax Increment Financing (TIF) District, first adopted in January 1989, and as amended in February 1990.

The public generally, and all interested parties owning real estate or taxable property within the district, will be given the opportunity to provide oral and written comments on, or objections to, the proposed amendments. The proposed amendments are available for inspection at the Town Manager's Office.

The text of the proposed amendments is too extensive to be included with this notice. Anyone having questions about the proposed amendments, or wishing to view or obtain copies of them, should contact the Brunswick Town Manager's Office during regular office hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Frances M. Smith

Town Clerk of Brunswick, Maine

September 21, 2009

TOWN OF BRUNSWICK, MAINE

TOWN COUNCIL RESOLUTION

**APPROVING THE AMENDMENT TO THE BATH ROAD DEVELOPMENT PROGRAM AND
TAX INCREMENT FINANCING DISTRICT**

WHEREAS, the Town of Brunswick (the “Town”) established the Bath Road Development and Tax Increment Financing District in 1989, as amended in 1990 (the “TIF District”); and

WHEREAS, the TIF District was established to fund debt service related to the construction of a sanitary sewer line in order to encourage economic development within the TIF District; and

WHEREAS, development has occurred within the TIF District, beginning shortly after the extension of sanitary sewer; and

WHEREAS, in 1992, the Town recognized that development within the District would put a traffic burden on Bath Road within and leading into the District, specifically between Thomas Point Road and Old Bath Road; and

WHEREAS, in recognition of the anticipated increased traffic burden, the Town established an impact fee to be levied on projects based on those project’s estimated contribution to the increased traffic burden (the “Bath Road Traffic Impact Fee”) on the section of Bath Road between Thomas Pont Road and Old Bath Road (the “Bath Road Traffic Impact Corridor”); and

WHEREAS, since the establishment of the Bath Road Traffic Impact Fee close to \$700,000 in Bath Road Traffic Impact Fees have been collected which, with interest, has resulted in close to \$900,000 remaining as available for infrastructure and other improvements in the Bath Road Traffic Impact Corridor; and

WHEREAS, the estimated cost of the improvements within the Bath Road Traffic Impact Corridor have, and still, exceed the amount of Bath Road Traffic Impact Fees collected; and

WHEREAS, the Town has adopted a bond ordinance on June 8, 2008 as amended on October 5, 2009, authorizing the issuance of bonds, the purpose of which is to fund the difference between the total Bath Road Traffic Impact Fees available for, and the total cost of, the infrastructure improvements in the Bath Road Traffic Impact Corridor; and

WHEREAS, the need to make the improvements in the Bath Road Traffic Impact Corridor is, in part, related to development that was made possible by the construction of sanitary sewer within the TIF District; and

WHEREAS, there is sufficient value within a substantially reduced geographic area within the existing TIF District that, if captured, would provide sufficient tax increment revenues to fund the estimated annual debt service on the bonds proposed to be issued for the improvements within the Bath Road Traffic Impact Corridor; and

WHEREAS, Maine law allows TIF Districts to extend to thirty (30) years; and

WHEREAS, the Town Council has directed staff for the Town of Brunswick to prepare an amendment to the existing Development Program and TIF District to capture tax increment finance revenues to pay the estimated debt service on the bonds proposed to be issued for the infrastructure improvements; and

WHEREAS, staff for the Town of Brunswick has prepared the amendment to the existing Development Program and TIF District; and

WHEREAS, a public hearing on the amended programs was duly advertised and held on October 5, 2009;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The amended Development Program and TIF District as proposed in the application entitled "SECOND AMENDMENT TO THE DEVELOPMENT PROGRAM FOR BATH ROAD MUNICIPAL DEVELOPMENT DISTRICT" (the "TIF Application") is hereby approved.
2. Town of Brunswick staff is directed to forward a copy of the application to the Maine Department of Economic and Community Development.

BE IT FURTHER RESOLVED that the Town Council of the Town of Brunswick finds that the amended Bath Road Development Program and TIF District, as described in the Application will contribute to the economic growth or well-being of the municipality or to the betterment of the health, welfare or safety of the inhabitants of the municipality.

BE IT FURTHER RESOLVED that the amended Bath Road Development Program and TIF District will be operated as described in the Application.

BE IT FURTHER RESOLVED that the Town Manager and staff of the Town of Brunswick are authorized to take any and all actions they deem necessary in submitting the Application to, and obtaining approval of the Application from, the Maine Department of Economic and Community Development.

Proposed to Town Council: October 5, 2009

Adopted by Town Council:

TOWN OF BRUNSWICK



SECOND AMENDMENT TO THE
DEVELOPMENT PROGRAM
FOR
BATH ROAD
MUNICIPAL DEVELOPMENT DISTRICT

October, 2009

PRELIMINARY – SUBJECT TO COMPLETION, AMENDMENT, AND APPROVAL BY
THE TOWN OF BRUNSWICK, MAINE

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APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

General Information

1. Municipality Name: Town of Brunswick		
2. Address: 28 Federal Street		
3. Telephone: 207-725-6652	4. Fax: 207-725-4107	5. Email: jeldridge@brunswickme.org
6. Municipal Contact Person: John Eldridge, Finance Director		
7. Business Name: This is a municipal infrastructure investment that will benefit multiple businesses as well as the public. There is no direct payment or sharing of revenues with any business.		
8. Address:		
9. Telephone:	10. Fax:	11. Email:
12. Business Contact Person:		
13. Principal Place of Business:		
14. Company Structure (e.g. corporation, sub-chapter S, etc.):		
15. Place of Incorporation:		
16. Names of Officers:		
17. Principal Owner(s) Name:		
18. Address:		

Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
<input type="checkbox"/> job creation	<input type="checkbox"/> job retention	<input type="checkbox"/> capital investment
<input type="checkbox"/> training investment	<input type="checkbox"/> tax base improvement	<input type="checkbox"/> public facilities improvement
<input type="checkbox"/> other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
<input type="checkbox"/> real estate purchase	<input type="checkbox"/> machinery & equipment purchase	<input type="checkbox"/> training costs
<input type="checkbox"/> debt reduction	<input type="checkbox"/> other (list):	

Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (<i>please use next page</i>).
--

D. Annual Report

Does the business anticipate receiving more than \$10,000 in TIF revenues in any calendar year during the term of the TIF development program? Yes <input type="checkbox"/> No <input type="checkbox"/> (<i>If so, please review the example of an annual report at the back of the TIF manual – a current version will be mailed by May 15th each year to the business contact person on this page and by law must then be filed with DECD by August 1st</i>).

EMPLOYMENT GOALS

Company Goals for Job Creation and Job Retention

<i>Job Creation Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
Executive, Professional & Technical			\$
Administrative Support, inc. Clerical			\$
Sales & Service			\$
Agriculture, Forestry & Fishing			\$
Maintenance, Construction, Production, & Transportation			\$
<i>Job Retention Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
Executive, Professional & Technical			\$
Administrative Support, inc. Clerical			\$
Sales & Service			\$
Agriculture, Forestry & Fishing			\$
Maintenance, Construction, Production, & Transportation			\$

DEVELOPMENT PROGRAM

General Description

This is the second amendment to the Bath Road Municipal Development Program and District, first approved in 1989. The original program and district called for tax increment financing to be used to pay a portion of the debt service related to the construction of a sanitary sewer extension on the Bath Road that the Town of Brunswick completed in 1990. The first amendment, approved in February 1990, was technical in nature in that it eliminated a portion of the original TIF district's value in order to bring the district's value into compliance with Maine law. The first amendment did not change any other aspect of the district. According to that plan, "The development program is made for the purpose of administering the Bath Road Municipal Development District as a tax increment financing (TIF) district in the area of the Bath Road.... The purpose of this district is to assist in financing a sanitary sewer line for the Bath Road area. The sewer expansion in the Bath Road area is deemed critical to the area's achievement of the optimal economic and land use development pattern. The sewer expansion reflects the final infrastructure expenditure needed to implement strategies outlined in the Comprehensive Plan."

The availability of sanitary sewer has allowed for substantial development of the area designated in the development district. In 1992, Wal-Mart located within the district. Recognizing that increased development would increase traffic demand, the Brunswick Planning Board, at the time it approved Wal-Mart's site plan, initiated an impact fee requirement for new development. The Bath Road Traffic impact fee was, and is, intended to partially fund infrastructure, traffic, and other improvements on a section of Bath Road, most of which lies within the boundaries of the current development district. The proposed capital project calls for the widening of Bath Road between Thomas Point Road and Old Bath Road, a distance of approximately 2,300 feet. Along with other improvements, the project also seeks to substantially improve the related stormwater collection system. Since the 1992 approval of the Wal-Mart site plan, a number of other entities have been assessed an impact fee based on the calculated impact each of their projects would have on the section of Bath Road designated for improvement. In 2003, the Town of Brunswick approved an expansion of Wal-Mart and, in 2004, a new retail store for Lowes Home Improvement. In reviewing those projects, the Town documented the continued need for improvements to that section of Bath Road.

This second amendment to the Bath Road Development Program and District proposes to substantially shrink the geographic boundaries of the district. The maps provided herein show the existing district boundaries and the boundaries proposed by this amendment. Although this amendment does not propose extending the boundary to Thomas Point Road, which is currently outside of the district, the portion of Bath Road to be improved does extend to Thomas Point Road. However, Thomas Point Road is within 750 feet of the current district boundary. A review of the work area map clearly illustrates the connection between the development district (originally and as amended) and that portion of Bath Road lying just outside of the district.

This second amendment also proposes to amend and extend the development program and the financial plan through 2019. Those plans call for the Town to use a combination of impact fees and bond proceeds to finance the improvements. TIF revenues will be used to pay the debt service on bonds issued for the project.

The Town of Brunswick never anticipated that Bath Road impact fees would pay for all of the proposed improvements to Bath Road. It has always been assumed that the Town would issue debt to fund that portion of the cost not covered by those fees. However, as the project has progressed through development, the estimated cost has risen, making it even more necessary to use TIF revenues. In June

2008, the Town of Brunswick adopted a bond ordinance authorizing the construction of the proposed improvements and the use of the impact fees and bonds proceeds to fund them. With the debt issued in 1990 for the sewer extension being retired in October 2009, the Town seeks to use tax increment financing revenues generated from the amended district to finance the debt service on the amount to be funded from bond proceeds. This amendment proposes to amend the district boundaries as of April 1, 2010. It does not propose to retroactively change the existing development program, boundaries, or financial plan relating to the 1990 sewer extension.

Description of Public Facilities

The Town of Brunswick, in the development program amendment, proposes to make infrastructure and other improvements on Bath Road from Thomas Point Road to Old Bath Road, a distance of approximately 2,300 feet. An engineer's estimate of the infrastructure costs is provided in the appendix.

Commercial Facilities, Arts Districts, Improvements or Projects

There were none contemplated by the original development program and none are contemplated in this amendment.

Plans for Persons Displaced By Development Activities

The Town does not anticipate that any persons will be displaced by this amendment to the development program.

Proposed Regulations and Facilities to Improve Transportation

This amendment to the development program is designed to improve the transportation movement within the Bath Road corridor between Thomas Point Road and Old Bath Road by making a number of infrastructure and traffic improvements.

Environmental Controls

The Town of Brunswick will comply with all environmental controls required during the construction and operation of the infrastructure and traffic improvements contemplated by this amendment to the development program.

Considerations for Approval

The legislative body of the Town of Brunswick has determined that the amended development program will contribute to the economic growth or well-being of the municipality or the betterment of the health, welfare, or safety of the inhabitants of the municipality. Further the legislative body of the Town of Brunswick has determined that 100% of the real property within the development district is suitable for commercial uses.

Proposed Operation of the District

The Town of Brunswick currently owns and maintains the portion of Bath Road proposed for improvement in this amendment to the development program. The Town will own and maintain the improvements.

Duration of the Development Program

With this amendment, the Town proposes to extend the life of the development district to the full thirty (30) years allowed by statute. The district, first approved in 1989, will now end in 2019.

FINANCIAL PLAN FOR THE DEVELOPMENT PROGRAM AND TAX INCREMENT FINANCING DISTRICT

General Description of Project Costs

The financial plan calls for most of the improvements to be made within the boundaries of the amended development district. The proposed improvements call for the widening of Bath Road and other improvements between Thomas Point Road and Old Bath Road. Over the years since the 1992 approval of the Wal-Mart site plan, a number of other entities have been assessed an impact fee relating to their proposed impact on the section of Bath Road designated for improvement. In 2003, the Town approved an expansion of Wal-Mart and, in 2004, approved a new retail store for Lowes Home Improvement. In reviewing those projects, the Town documented the continued need for improvements to that section of Bath Road.

Costs Estimates of the Development Program

The cost of the infrastructure and traffic improvements contemplated by this amendment to the development programs is currently estimated at \$2,150,000. This estimate has been developed by an engineering firm in consultation with the Town Engineer. The bond ordinance authorized by the Town in June 2008 authorizes the use of up to \$970,000 in impact fees plus interest, collected for the improvements, and up to \$750,000 from bond proceeds. The Town Council has scheduled an October 5, 2009 public hearing to take comments on an amendment to the bond ordinance. Among other things, the amendment, if adopted, will increase the amount authorized to be issued from bonds from \$750,000 to \$1,250,000. This means the entire project budget is expected to be funded through a combination of impact fees and bond proceeds. The project is expected to be publicly bid this fall or winter. The Town does not anticipate issuing bonds for this project until after it receives and awards the bids.

The Amount of Public Indebtedness to be Incurred

The Town is currently authorized to issue up to \$750,000 in general obligation bonds to finance that portion of the project not funded by impact fee revenues. Should a bond ordinance amendment be approved by the Town Council at its October 5, 2009 meeting, the authorization to issued bond will be increased to \$1,250,000. The Town plans to amortize this debt over the remaining nine years of the development district, with tax increment revenues being used to fund the debt service on this obligation. A projected debt service schedule is included in the appendix. Actual debt service requirements will be determined after bids are received for the project. The actual debt service requirements will also be determined by the actual amortization schedule finally selected and the interest rates for the bonds.

Sources of Revenue and Uses of Funds

The Town has almost \$900,000 in impact fees and accumulated interest earnings available for use on the project contemplated in the revised development program. Bonds will be issued to fund the project costs not paid for with impact fees. Tax increment revenues are anticipated to provide sufficient funds for the estimated debt service on the bonds. The table on the following page illustrates the sources of funds available for the development program and the proposed uses of the funds.

Bath Road Development/TIF District Second Amendment - 2009 Program Budget										
TIF Year	Fiscal Year	Debt Service	Capital Expenditures	Credit Enhancement	Program Administration	Other Costs	Total Program Costs	Program Revenues	Net Program Requirement	
Base	2009 - 2010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22	2010 - 2011	188,889	900,000	-	-	-	1,088,889	900,000	188,889	-
23	2011 - 2012	183,333	-	-	-	-	183,333	-	183,333	-
24	2012 - 2013	177,778	-	-	-	-	177,778	-	177,778	-
25	2013 - 2014	172,222	-	-	-	-	172,222	-	172,222	-
26	2014 - 2015	166,667	-	-	-	-	166,667	-	166,667	-
27	2015 - 2016	161,111	-	-	-	-	161,111	-	161,111	-
28	2016 - 2017	155,556	-	-	-	-	155,556	-	155,556	-
29	2017 - 2018	150,000	-	-	-	-	150,000	-	150,000	-
30	2018 - 2019	144,444	-	-	-	-	144,444	-	144,444	-
Totals		\$ 1,500,000	\$ 900,000	\$ -	\$ -	\$ -	\$ 2,400,000		\$ 1,500,000	

The following table illustrates the tax increment revenues that will be generated from the amended district. The development program intends to capture sufficient tax increment revenues to meet the debt service the bonds proposed. This is shown as the net program requirement.

Bath Road Development/TIF District Second Amendment - 2009 Captured Values, Taxes, and Net Program Requirements										
YEARS	LOCAL VALUATION			TAX RATE			EQUALIZED VALUATION			
Base:	2009	Base Value	\$ 16,122,800	Base Rate:	22.54	Increment:	\$ 26,871,333			
Start:	2010	Growth Rate:	0.00%	Growth Rate:	1.00%	Eq. Ratio:	60.00%			
						Mkt Growth:	1.00%			
						Total Growth:	1.00%			
TIF Year	Fiscal Year	Capture Rate	Incremental Value	Captured Value	Tax Rate	Tax Increment	Net Program Requirement	Mkt. Ratio	Incremental Eq. Value	Captured Eq. Value
Base	2009 - 2010	0.00%	\$ 16,122,800	\$ -	22.54	\$ -	\$ -	60.00%	\$ 26,871,333	\$ -
22	2010 - 2011	51.46%	16,122,800	8,297,192	22.77	188,889	188,889	59.40%	27,142,761	13,968,336
23	2011 - 2012	49.45%	16,122,800	7,973,422	22.99	183,333	183,333	58.81%	27,416,930	13,558,859
24	2012 - 2013	47.48%	16,122,800	7,655,251	23.22	177,778	177,778	58.22%	27,693,869	13,149,299
25	2013 - 2014	45.54%	16,122,800	7,342,599	23.46	172,222	172,222	57.64%	27,973,605	12,739,658
26	2014 - 2015	43.64%	16,122,800	7,035,387	23.69	166,667	166,667	57.06%	28,256,167	12,329,934
27	2015 - 2016	41.76%	16,122,800	6,733,538	23.93	161,111	161,111	56.49%	28,541,582	11,920,128
28	2016 - 2017	39.92%	16,122,800	6,436,978	24.17	155,556	155,556	55.92%	28,829,881	11,510,240
29	2017 - 2018	38.12%	16,122,800	6,145,629	24.41	150,000	150,000	55.36%	29,121,092	11,100,270
30	2018 - 2019	36.34%	16,122,800	5,859,419	24.65	144,444	144,444	54.81%	29,415,245	10,690,218
							<u>\$ 1,500,000</u>			

Development Program Fund

The Town will establish a segregated fund or account designated as the “Bath Road TIF” to be operated in accordance with the terms and conditions of the development program and generally accepted accounting principles (GAAP). Funds shall be deposited into the Bath Road TIF fund/account within sixty (60) days of the property tax due date(s) established by the municipality, or within sixty (60) days following the date the property tax is paid, whichever is later. These funds shall constitute tax increment funds and shall be invested as determined by the Town in accordance with its investment policies and/or practices. Interest or earnings resulting from investment of tax increment funds shall be retained by the Town and used as development program revenues. Funds in the fund/account shall be used exclusively to fund the Town’s obligations described in the development program.

Terms and Condition of Any Agreements, Contract or Other Obligations

By law, the Town is obligated to use the impact fees only to fund the improvements for which they were collected, that is the infrastructure and traffic improvements contemplated herein. Should the improvements not be completed the Town is obligated to refund the impact fees plus interest.

Valuation Estimates

The following table illustrates the valuation projections and the estimated amount of captured assessed valuation and tax increment for the district.

Bath Road Development/TIF District Second Amendment - 2009						
Real Estate Values, Incremental Values, Captured Values and Acreage						
Property Map/Lot	Real Estate Current Owners	1988 Value	2009 Value	Incremental Value	Acreage	
45-16	(a) MNL Holdings LLC (Brunswick Vet. Hospital)	\$ -	\$ 639,300	\$ 639,300	1.20	
45-20	Bidwell, Michael & Tunwire, Robert	613,000	1,004,000	391,000	1.80	
45-17	(b) LHC Brunswick ME LLC (Lowe's)	5,102,700	6,152,600	1,049,900	34.70	
45-55	(c) Headley, Marcus & Cathy (Sweet Dreams)	-	650,600	650,600	1.37	
45-56	(d) Androscoggin Savings Bank	-	754,200	754,200	0.96	
45-57	(e) Mainely Pizza One LLC	-	677,200	677,200	1.17	
45-65	(f) LHC Brunswick ME LLC	-	308,700	308,700	2.08	
CC2-14	Aleo, Peter & Margaret	104,100	75,300	(28,800)	0.14	
CC2-14A	Lambert, Samuel	101,100	97,000	(4,100)	0.38	
CC2-18	TASA LLC (Midas)	180,900	241,900	61,000	0.30	
CC2-19	(g)	76,800	-	(76,800)	-	
CC2-20	(h) Walmart Real Estate Business Trust	215,900	11,294,000	11,078,100	28.41	
CC2-21		137,500	-	(137,500)	-	
CC2-21	(i) GDGA Maine Partnership (Wendy's)	-	606,800	606,800	1.34	
CC2-22	Anshi Hospitality LLC (Day's Inn)	1,684,100	1,934,600	250,500	1.86	
CC2-23	Maine Mattress & Futons Inc.	508,000	410,700	(97,300)	0.95	
Totals		\$ 8,724,100	\$ 24,846,900	\$ 16,122,800	76.66	

Comments:

- (a) Was part of lot 20
- (b) Now lots 55,56,57,65 & some to lot 20
- (c) Was part of lot 17
- (d) Was part of lot 17
- (e) Was part of lot 17
- (f) Was part of lot 17
- (g) Now part of current lot 21
- (h) Different configuration
- (i) Was part of 19, 20 & 21

Tax Shift Calculations

The following table illustrates the estimated tax shifts resulting from the captured assessed valuation.

Bath Road Development/TIF District Second Amendment - 2009 Estimated Tax Shifts							
TIF Year	Fiscal Year	Captured Value	Captured Eq. Value	Education Aid	Revenue Sharing	County Tax	Total Shift
Base	2009 - 2010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22	2010 - 2011	8,297,192	13,968,336	88,089	19,030	7,346	114,465
23	2011 - 2012	7,973,422	13,558,859	84,651	18,281	7,133	110,065
24	2012 - 2013	7,655,251	13,149,299	81,273	17,546	6,919	105,738
25	2013 - 2014	7,342,599	12,739,658	77,954	16,824	6,705	101,483
26	2014 - 2015	7,035,387	12,329,934	74,692	16,114	6,491	97,298
27	2015 - 2016	6,733,538	11,920,128	71,488	15,418	6,277	93,183
28	2016 - 2017	6,436,978	11,510,240	68,339	14,734	6,062	89,136
29	2017 - 2018	6,145,629	11,100,270	65,246	14,063	5,848	85,157
30	2018 - 2019	5,859,419	10,690,218	62,208	13,404	5,633	81,245
Totals				\$ 673,940	\$ 145,416	\$ 58,414	\$ 877,770

DESCRIPTION AND MAP OF DEVELOPMENT DISTRICT

Description of District and Boundaries

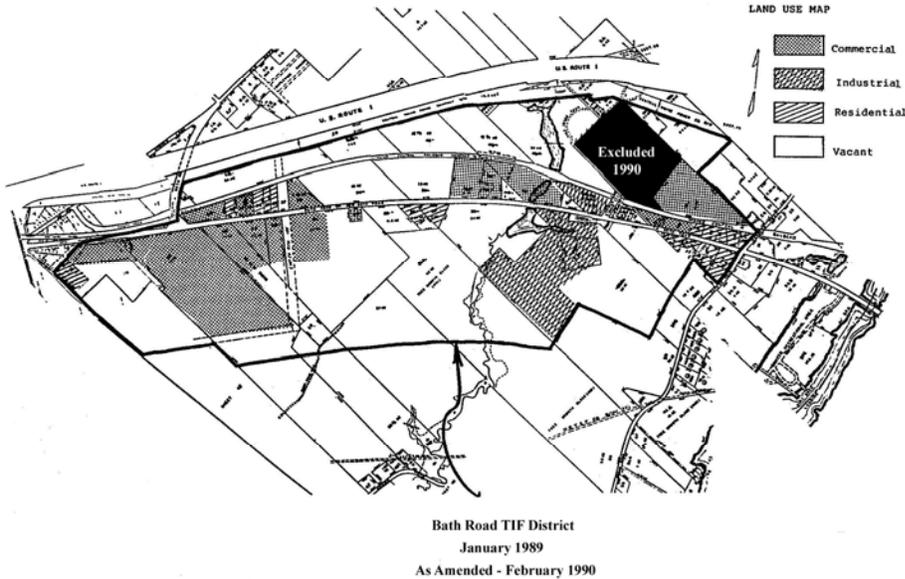
The boundaries of the amended district include the following lots.

Bath Road Development/TIF District Second Amendment - 2009		
Property Map/Lot	Real Estate Current Owners	Acreage
45-16	MNL Holdings LLC (Brunswick Vet. Hospital)	1.20
45-20	Bidwell, Michael & Tunwire, Robert	1.80
45-17	LHC Brunswick ME LLC (Lowe's)	34.70
45-55	Headley, Marcus & Cathy (Sweet Dreams)	1.37
45-56	Androscoggin Savings Bank	0.96
45-57	Mainely Pizza One LLC	1.17
45-65	LHC Brunswick ME LLC	2.08
CC2-14	Aleo, Peter & Margaret	0.14
CC2-14A	Lambert, Samuel	0.38
CC2-18	TASA LLC (Midas)	0.30
CC2-20	Walmart Real Estate Business Trust	28.41
CC2-21	GD G A Maine Partnership (Wendy's)	1.34
CC2-22	Anshi Hospitality LLC (Day's Inn)	1.86
CC2-23	Maine Mattress & Futons Inc.	0.95
Totals		76.66

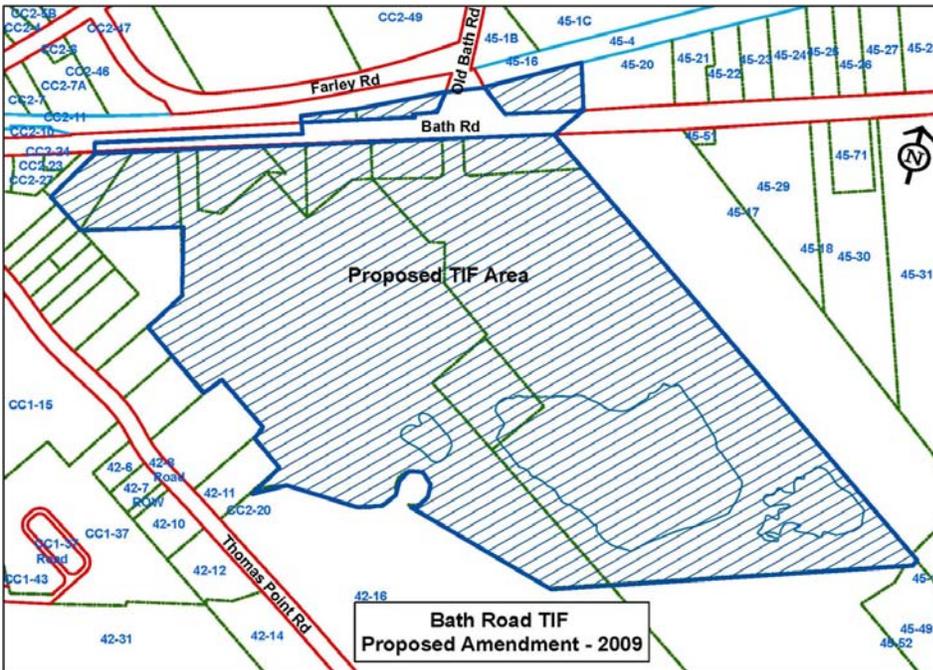
Map of District – Existing and Proposed

Below is a map of the district as it is currently designated followed by a map showing the boundaries of the district as proposed by this amendment.

Existing District



Proposed District as Amended



Acreage and Valuation

The following table illustrates the total acreage of the municipality, the total acreage of the proposed district, and the total acreage of all tax increment financing districts within the municipality.

TAX INCREMENT DISTRICT ACREAGE		
	Existing District <u>1990</u>	Amended District <u>2009</u>
Total Acreage of Municipality	28,800.00	28,800.00
Proposed Bath Road TIF Acreage		
Total Acreage of Proposed TIF District	535.00	76.66
Percentage Proposed TIF is of the Municipality	1.86%	0.27%
Total Acreage of All TIF Districts		
Business Parkway (Brunswick Publishing)	-	17.00
Proposed Bath Road TIF	535.00	76.66
Total Acreage of All TIF Districts	<u>535.00</u>	<u>93.66</u>
Percentage All TIF Districts are of the Municipality	1.86%	0.33%
Proposed Bath Road TIF Acreage Conditions		
Blighted	-	-
Need of Rehabilitation, Redevelopment or Conservation	-	-
Suitable for Commercial or Arts District Uses	262.00	76.66
Total	<u>262.00</u>	<u>76.66</u>
Percentage Meeting Conditions for Approval	48.97%	100.00%

Certification of Tax Assessor

Below is a copy of the certification of the Tax Assessor indicating the value of the Town and the value of the district as it is proposed to be amended.

Certificate

Town of Brunswick, Maine

Town Assessor

The undersigned Town Assessor for the Town of Brunswick, Maine does hereby certify pursuant to the provisions of 30-A M.S.R.A. Section 5254 that the assessed value of the Bath Road Tax Increment Financing District, as described in the Development Program, as proposed to be amended on October 5, 2009, and as existed on March 31, 1989 was \$8,724,100. The total taxable valuation of the Town of Brunswick as of March 31, 1989 was \$806,243,700.

The undersigned further certifies that the portion of the tax map on which the District is depicted is an accurate description of the District, as proposed to be amended on October 5, 2009.

Town Assessor

Witness:

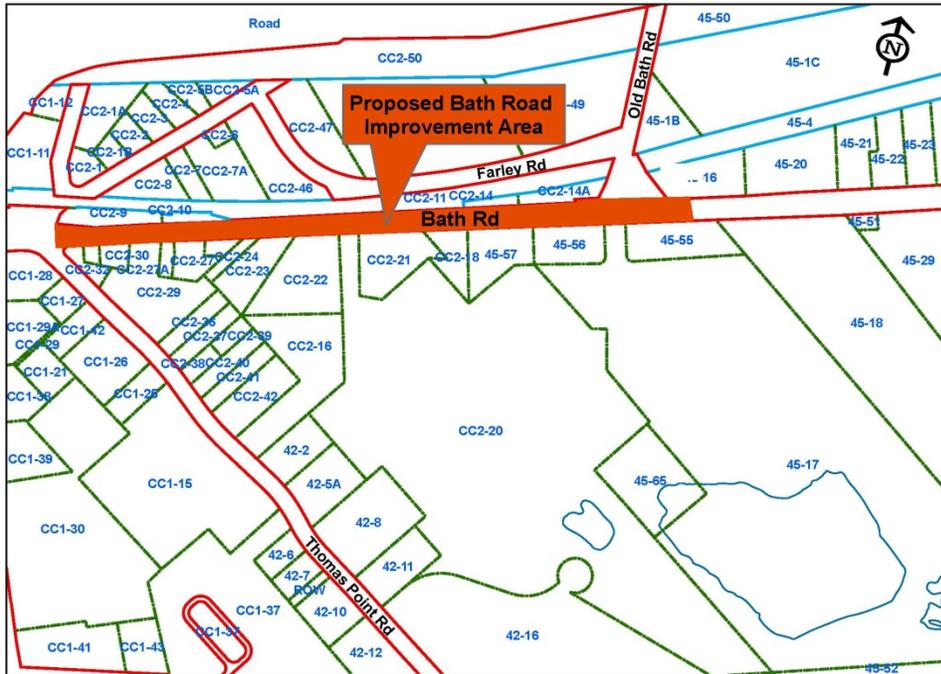
Date:

Nancy Pauling
9/24/09

Cathleen M. Donovan
Cathleen M. Donovan

Map of Project Limits

The map below illustrates the limits of the proposed Bath Road improvements to be funded by this development program and TIF district.



MUNICIPAL APPROVALS

Public Hearing Notice

The public hearing notice published in the *Times Record* on September 24, 2009 is shown below.

**TOWN OF BRUNSWICK
NOTICE OF PUBLIC HEARING
AMENDMENT TO THE BATH ROAD DEVELOPMENT PROGRAM AND
TAX INCREMENT FINANCING DISTRICT**

The Town Council will hold a public hearing on Monday, October 5, 2009, 7:00 p.m. at the Municipal Meeting Room (Room 217), Maine Street Station, 16 Station Avenue, to receive public comment on proposed amendments to the Bath Road Development Program and Tax Increment Financing (TIF) District, first adopted in January 1989, and as amended in February 1990.

The public generally, and all interested parties owning real estate or taxable property within the district, will be given the opportunity to provide oral and written comments on, or objections to, the proposed amendments. The proposed amendments are available for inspection at the Town Manager's Office.

The text of the proposed amendments is too extensive to be included with this notice. Anyone having questions about the proposed amendments, or wishing to view or obtain copies of them, should contact the Brunswick Town Manager's Office during regular office hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Frances M. Smith
Town Clerk of Brunswick, Maine

September 21, 2009

Published in *Times Record* on September 24, 2009

Adoption by Legislative Body

The resolution to be proposed to, and expected to be adopted by, the Town Council on October 5, 2009 is shown below.

TOWN OF BRUNSWICK, MAINE

TOWN COUNCIL RESOLUTION

**APPROVING THE AMENDMENT TO THE BATH ROAD DEVELOPMENT PROGRAM
AND
TAX INCREMENT FINANCING DISTRICT**

WHEREAS, the Town of Brunswick (the “Town”) established the Bath Road Development and Tax Increment Financing District in 1989, as amended in 1990 (the “TIF District”); and

WHEREAS, the TIF District was established to fund debt service related to the construction of a sanitary sewer line in order to encourage economic development within the TIF District; and

WHEREAS, development has occurred within the TIF District, beginning shortly after the extension of sanitary sewer; and

WHEREAS, in 1992, the Town recognized that development within the District would put a traffic burden on Bath Road within and leading into the District, specifically between Thomas Point Road and Old Bath Road; and

WHEREAS, in recognition of the anticipated increased traffic burden, the Town established an impact fee to be levied on projects based on those project’s estimated contribution to the increased traffic burden (the “Bath Road Traffic Impact Fee”) on the section of Bath Road between Thomas Pont Road and Old Bath Road (the “Bath Road Traffic Impact Corridor”); and

WHEREAS, since the establishment of the Bath Road Traffic Impact Fee close to \$700,000 in Bath Road Traffic Impact Fees have been collected which, with interest, has resulted in close to \$900,000 remaining as available for infrastructure and other improvements in the Bath Road Traffic Impact Corridor; and

WHEREAS, the estimated cost of the improvements within the Bath Road Traffic Impact Corridor have, and still, exceed the amount of Bath Road Traffic Impact Fees collected; and

WHEREAS, the Town has adopted a bond ordinance on June 8, 2008 as amended on October 5, 2009, authorizing the issuance of bonds, the purpose of which is to fund the difference between the total Bath Road Traffic Impact Fees available for, and the total cost of, the infrastructure improvements in the Bath Road Traffic Impact Corridor; and

WHEREAS, the need to make the improvements in the Bath Road Traffic Impact Corridor is, in part, related to development that was made possible by the construction of sanitary sewer within the TIF District; and

WHEREAS, there is sufficient value within a substantially reduced geographic area within the existing TIF District that, if captured, would provide sufficient tax increment revenues to fund the estimated annual debt service on the bonds proposed to be issued for the improvements within the Bath Road Traffic Impact Corridor; and

WHEREAS, Maine law allows TIF Districts to extend to thirty (30) years; and

WHEREAS, the Town Council has directed staff for the Town of Brunswick to prepare an amendment to the existing Development Program and TIF District to capture tax increment finance revenues to pay the estimated debt service on the bonds proposed to be issued for the infrastructure improvements; and

WHEREAS, staff for the Town of Brunswick has prepared the amendment to the existing Development Program and TIF District; and

WHEREAS, a public hearing on the amended programs was duly advertised and held on October 5, 2009;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The amended Development Program and TIF District as proposed in the application entitled “SECOND AMENDMENT TO THE DEVELOPMENT PROGRAM FOR BATH ROAD MUNICIPAL DEVELOPMENT DISTRICT” (the “TIF Application”) is hereby approved.
2. Town of Brunswick staff is directed to forward a copy of the application to the Maine Department of Economic and Community Development.

BE IT FURTHER RESOLVED that the Town Council of the Town of Brunswick finds that the amended Bath Road Development Program and TIF District, as described in the Application will contribute to the economic growth or well-being of the municipality or to the betterment of the health, welfare or safety of the inhabitants of the municipality.

BE IT FURTHER RESOLVED that the amended Bath Road Development Program and TIF District will be operated as described in the Application.

BE IT FURTHER RESOLVED that the Town Manager and staff of the Town of Brunswick are authorized to take any and all actions they deem necessary in submitting the Application to, and obtaining approval of the Application from, the Maine Department of Economic and Community Development.

Proposed to Town Council: October 5, 2009

Adopted by Town Council:

Appendix

Tax Shift Calculation Methodology	A-1
Engineer's Cost Estimate	A-2
Debt Service Schedule (Estimate)	A-3
Development Program for Bath Road Municipal Development District – February 1990	A-4

Tax Shift Calculation Methodology

Generally

The methods used to calculate the estimated tax shifts are described below. For each year impacted, there are also estimates of the various components of the formulas. It is important to note that these are estimates and that the actual shifts may be substantially different due to changes in the components of the formulas or changes in the formulas themselves.

Education Subsidy

The shift was calculated by multiplying the equalized captured assessed valuation (CAV) by the state education mil rate.

Revenue Sharing

The shift was calculated in by estimating the impact the equalized captured assessed valuation (CAV) would have on the distribution of Revenue Sharing I and Revenue Sharing II.

Revenue Sharing I

Prior to Shift

1. $(\text{population} \times \text{assessment}) / \text{state valuation} = \text{computed number}$
2. $(\text{computed number} / \text{sum of all computed numbers}) = \text{proportional share of REV-I distribution}$

After Shift

1. $(\text{population} \times \text{assessment}) / (\text{state valuation} + \text{CAV}) = \text{new computed number}$
2. $\text{new computed number} / \text{computed number} = \text{percent change in computed number}$
3. $\text{percent change in computed number} \times \text{REV-I distribution}$

Revenue Sharing II

Prior to Shift

1. $(\text{assessment} / \text{state valuation}) \times 1000 = \text{mil rate}$
2. $(\text{mil rate} - 10.0) \times \text{population} = \text{computed number}$
3. $\text{computed number} / \text{sum of all computed numbers} = \text{proportional share of REV-II distribution}$

After Shift

1. $((\text{assessment} / (\text{state valuation} + \text{CAV})) \times 1000) = \text{new mil rate}$
2. $(\text{new mil rate} - 10.0) \times \text{population} = \text{new computed number}$
3. $\text{new computed number} / \text{computed number} = \text{percent change in computed number}$
4. $\text{percent change in computed number} \times \text{REV-II distribution}$

County Tax

The shift was calculated by determined by calculating the percent change the equalized captured assessed valuation (CAV) would have on the county tax assessment. Multiplying that percentage by the county tax produces the estimated shift.

1. $\text{state valuation}/(\text{state valuation} + \text{CAV}) = \text{percent change in county tax}$
2. $\text{percent change in county tax} \times \text{county tax}$

Gorrill-Palmer Consulting Engineers Inc.
Preliminary Opinion of Probable Construction Cost

9/21/2009

Job Number: 947.01
Project Location: Brunswick, Maine
Comments: Bath Road
Date: 4/28/2005 - 1-14-09 updated unit prices only
9-21-09 - updated drainage items
Description: Four Lane Section
References: 25 Scale Concept Plan
Calculated By: RJB - drainage updated J.LW 9-21-09
Checked By: RCN

- Notes:
1. Opinion of cost does not include Legal or Engineering Costs.
 2. Opinion of cost does not include the remediation or removal of any special or hazardous materials such as Asbestos, PCB's, etc.
 3. Opinion of cost is based on MDOT 2008 unit prices
 4. Opinion of cost does not include utility relocations which are not anticipated at this time
 5. Opinion of cost assumes 5' of pavement

Item	Item Description	Unit	Quantity	2008 MDOT Unit Price	Amount
202.15	REM MANHOLE OR CATCH BASIN	EA	6	\$ 759.51	\$ 4,557.06
202.203	PAVEMENT BUTT JOINTS	SY	800	\$ 19.36	\$ 15,488.00
203.2	COMMON EXCAVATION	CY	4980	\$ 17.03	\$ 84,809.40
206.07	STR ROCK EXC - DR & MINOR STR	CY	245	\$ 179.32	\$ 43,933.40
307.32	COLD IN-PLACE REC MAT UNTR TRAVELW	SY	10200	\$ 3.03	\$ 30,906.00
304.1	AGGR SUBB COURSE - GRAVEL	CY	3985	\$ 27.74	\$ 110,543.90
403.207	HOT MIX ASPHALT 3/4 INCH	T	2866	\$ 82.91	\$ 237,620.06
403.208	HOT MIX ASPHALT 1/2 INCH	T	600	\$ 105.07	\$ 63,042.00
403.209	HOT MIX ASPHALT 3/8 INCH (INCIDEN	T	225	\$ 145.71	\$ 32,784.75
403.21	HOT MIX ASPHALT 3/8 INCH-OVERLAY	T	885	\$ 97.43	\$ 86,225.55
409.15	BITUMINOUS TACK COAT APPLIED	G	725	\$ 12.56	\$ 9,106.00
502.341	STR CONC ROADWAY MEDIAN	CY	35	\$ 555.44	\$ 19,440.40
603.159	12" CULV PIPE OPTION III	LF	430	\$ 57.23	\$ 24,608.90
603.169	15" CULV PIPE OPTION III	LF	60	\$ 66.88	\$ 4,012.80
603.179	18" CULV PIPE OPTION III	LF	310	\$ 71.54	\$ 22,177.40
603.199	24" CULV PIPE OPTION III	LF	2355	\$ 95.61	\$ 225,161.55
604.072	CATCH BASIN TYPE A1-C	EA	20.5	\$ 3,072.51	\$ 62,986.46
604.15	MANHOLE	EA	17	\$ 3,003.54	\$ 51,060.18
604.16	ALTER CATCH BASIN TO MANHOLE	EA	2	\$ 1,086.18	\$ 2,172.36
608.253	MASONRY PAVER WITH TRUNCATED DOME	SF	20	\$ 49.03	\$ 980.60
609.11	VERT CURB TYPE 1	LF	4150	\$ 28.72	\$ 119,188.00
609.234	TERMINAL CURB TYPE 1 - 4 FOOT	EA	10	\$ 170.72	\$ 1,707.20
609.237	TERMINAL CURB TYPE 1 - 7 FOOT	EA	17	\$ 427.69	\$ 7,270.73
609.35	CURB TYPE 5 - CIRCLAR	LF	10	\$ 73.11	\$ 731.10
615.07	LOAM	CY	600	\$ 48.44	\$ 29,064.00
618.1401	SEEDING METHOD NUMBER 2 - PLAN QUANTIT	UN	50	\$ 62.07	\$ 3,103.50
619.12	MULCH	UN	50	\$ 58.48	\$ 2,924.00
629.05	HAND LABOR, STRAIGHT TIME	HR	50	\$ 37.11	\$ 1,855.50
631.1	AIR COMPRESSOR (INC OPERATOR)	HR	25	\$ 51.36	\$ 1,284.00
631.11	AIR TOOL (INCLUDING OPERATOR)	HR	25	\$ 44.20	\$ 1,105.00
631.12	ALL-PURPOSE EXC (INC OPERATOR)	HR	25	\$ 124.63	\$ 3,115.75
631.172	TRUCK-LARGE (INC OPERATOR)	HR	25	\$ 65.61	\$ 1,640.25
631.22	FRONT END LOADER (INC OPER)	HR	25	\$ 99.36	\$ 2,484.00
627.711	WH OR YELL PAINT PVMT MARKING LINE	LF	13500	\$ 0.56	\$ 7,560.00
627.75	WHITE OR YELLOW PVMT AND CURB MARK	SF	650	\$ 3.92	\$ 2,548.00
637.071	DUST CONTROL	LS	-	-	\$ 10,000.00
643.71	TRAFFIC SIGNAL MODIFICATION	LS	-	-	\$ 100,000.00
652.33	DRUM	EA	100	\$ 52.18	\$ 5,218.00
652.34	CONE	EA	100	\$ 18.78	\$ 1,878.00
652.35	CONSTRUCTION SIGNS	SF	235	\$ 14.01	\$ 3,292.35
652.36	MAINT OF TRAFFIC CONTR DEVICES	LS	-	\$ 375.87	\$ 35,000.00
652.38	FLAGGER	HR	2250	\$ 19.40	\$ 43,650.00
656.75	TEMP. SOIL EROS. AND WATER POLL. CONTR	LS	-	-	\$ 20,000.00
659.1	MOBILIZATION	LS	-	-	\$ 157,000.00
	TRENCH CAP RESTORATION	LF	\$ 810.00	\$ 30.00	\$ 24,300.00
				SUBTOTAL	\$ 1,718,000.00
				CONTINGENCY(15%)	\$ 258,000.00
				TOTAL CONSTRUCTION	\$ 1,976,000.00
				LANDSCAPING	\$ 71,000.00
				TOTAL	\$ 2,047,000.00
				ADDITIONAL SURVEY	0
				LANDSCAPE ARCHITECT	0
				PE	\$52,207.30
				CE	\$48,893.68
				TOTAL	\$ 2,148,100.98

Bath Road Development/TIF District					
Second Amendment - 2009					
Debt Service Requirements on Capital Improvements					
AMOUNTS:			BONDS:		
Total Financed:	\$	1,250,000	Interest Rate:		4.00%
Total Interest:		250,000	Years:		9
Total Cost:		1,500,000	Start Bond Year:		1
Bond Year	Fiscal Year	Primal Payment	Interest Payment	Total Payments	Balance
					\$ 1,250,000.00
1	2010 - 2011	\$ 138,888.89	\$ 50,000.00	\$ 188,888.89	1,111,111.11
2	2011 - 2012	138,888.89	44,444.44	183,333.33	972,222.22
3	2012 - 2013	138,888.89	38,888.89	177,777.78	833,333.33
4	2013 - 2014	138,888.89	33,333.33	172,222.22	694,444.44
5	2014 - 2015	138,888.89	27,777.78	166,666.67	555,555.56
6	2015 - 2016	138,888.89	22,222.22	161,111.11	416,666.67
7	2016 - 2017	138,888.89	16,666.67	155,555.56	277,777.78
8	2017 - 2018	138,888.89	11,111.11	150,000.00	138,888.89
9	2018 - 2019	138,888.89	5,555.56	144,444.44	-
10	2019 - 2020	-	-	-	-
11	2020 - 2021	-	-	-	-
12	2021 - 2022	-	-	-	-
13	2022 - 2023	-	-	-	-
14	2023 - 2024	-	-	-	-
15	2024 - 2025	-	-	-	-
16	2025 - 2026	-	-	-	-
17	2026 - 2027	-	-	-	-
18	2027 - 2028	-	-	-	-
19	2028 - 2029	-	-	-	-
20	2029 - 2030	-	-	-	-
Totals		\$ 1,250,000.00	\$ 250,000.00	\$ 1,500,000.00	

About Debt Service and This Estimate

The debt service schedule illustrate above estimates the annual payments required to amortize the principal amount shown, using the assumed interest rate and term. The schedule assumes level principal payments over the term of the bonds. The actual interest rate will depend on prevailing market rates at the time the bonds are issued. The Town reserves the right to alter the principal amount, term, and principal amortization schedule to meet its needs.

February, 1990

TOWN OF BRUNSWICK

AMENDMENT TO THE
DEVELOPMENT PROGRAM
FOR

BATH TOAD
MUNICIPAL DEVELOPMENT DISTRICT

Submitted Under
Title 30, MRSA Section 4863 et seq.

TO

The Maine Department of Economic
And
Community Development

February, 1990

TOWN OF BRUNSWICK

AMENDMENT TO THE
DEVELOPMENT PROGRAM
FOR

BATH ROAD
MUNICIPAL DEVELOPMENT DISTRICT

Submitted Under
Title 30, MRSA Section 4863 et seq.

TO

The Maine Department of Economic
and
Community Development

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SECTION 1 DEVELOPMENT PROGRAM NARRATIVE

1. Development Program Narrative

a. **General Purpose Statement.** The development program is unchanged by the amendment. The development program is made for the purpose of administering the Bath Road Municipal Development District as a tax increment financing (TIF) district in the area of the Bath Road (see Map 1). The purpose of this district is to assist in financing a sanitary sewer line for the Bath Road area. The sewer expansion in the Bath Road area is deemed critical to the area's achievement of the optimal economic and land use development pattern. The sewer expansion reflects the final infrastructure expenditure needed to implement strategies outlined in the Comprehensive Plan. Those strategies are summarized as follows:

a. Regarding commercial development in general, it was recommended that sewer and water be extended to this area in order to expand its economic potential while mitigating the problems associated with poor soil conditions. (pg. 6)

b. The Industrial Development section of the Comprehensive Plan calls for a moderate increase in the industrial tax base of 15% (pgs. 9-11)

c. The Planning Board Zoning sub-committee, in recommending changes to the zoning ordinance, called for the Bath Road area to continue to expand in both commercial and industrial terms, but under a strict set of performance standards which were designed to protect the environment and reduce the present pattern of strip development. (pg. 57)

The Brunswick Town Council, recognizing past planning efforts and economic development opportunity, therefore chose to establish a tax increment financing district as part of the strategy of realizing specific planning and development goals. It should also be recognized that without the expansion of sewer lines to this area, existing environmental conditions will severely limit potential industrial development in the Bath Road area.

b. **Financial Plan.** The project cost and the Town's intent to issue 20 year general obligation bonds are unchanged by the amendment. The construction cost for the sewer expansion in the Bath Road area is estimated at \$1,250,000 with \$250,000 planned for engineering and construction contingencies.

The Town will issue approximately \$1,500,000 principal amount of its general obligation tax increment financing bonds to finance the costs of construction of the sewer. The annual debt service on \$1,500,000 of bonds, assuming a 20-year maturity, a

net interest cost of 7.568% (as estimated by the Maine Municipal Bond Bank, November, 1988) and the annual payments of principal set forth in Table 2, would be as reflected in the column entitled "Debt Amortization" in Table 2.

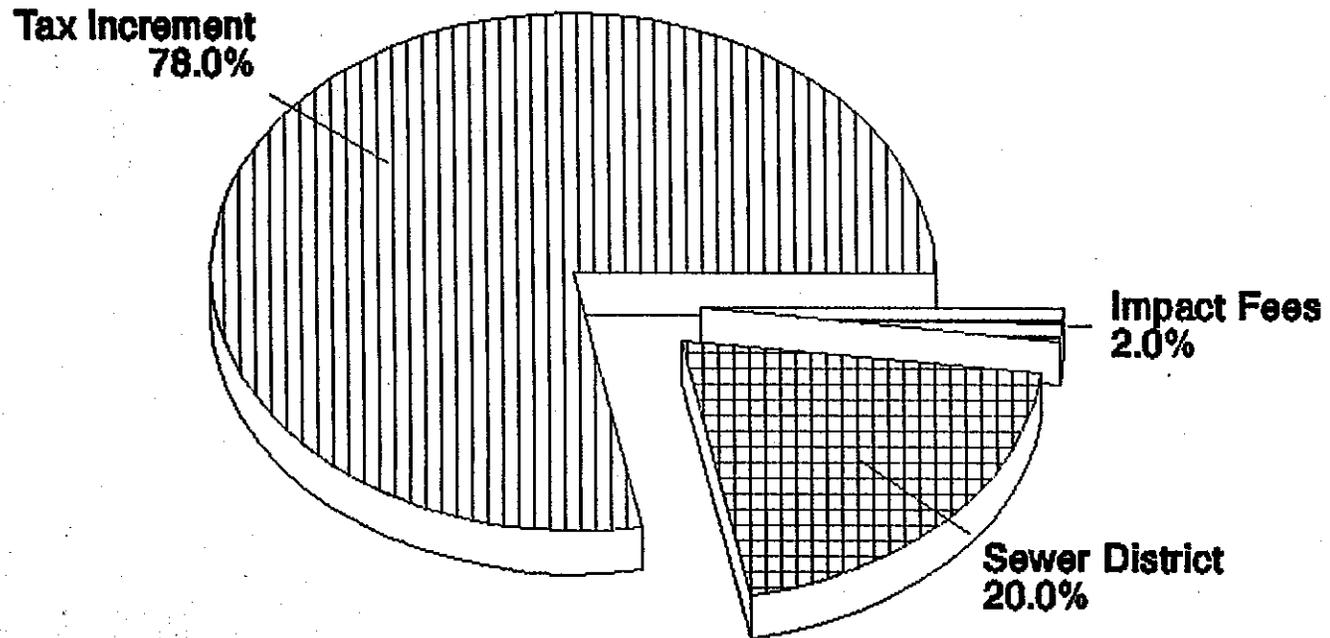
The Town has elected to retain the percentages of the captured assessed value of the District set forth in Table 2 in the column entitled "% VALUE FOR TIF" and such amounts will be used to establish a development sinking fund which will be pledged to and charged with the payment of the interest and principal on the bonds, and the necessary charges of paying agents for paying interest and principal on the bonds. The estimated captured incremental increase in taxes due to development within the District is set forth in Table 2 in the column entitled "CAPTURE TAX INCREMENT REVENUE." Those amounts, together with the Sewer District fees and impact fees described in Section IV below, will be sufficient to satisfy debt service requirements on the bonds. In addition, the bonds will be general obligation bonds and ultimately bondholders will have recourse to the Town of Brunswick.

The financial plan developed to retire the project debt consists of three parts:

- a. Brunswick Sewer District Fee revenue;
- b. Development Impact Fee for first 10 years of debt service; and,
- c. Tax increment financing district.

These parts and their relative share are presented in Table 1.

**TOWN OF BRUNSWICK
BATH ROAD DEVELOPMENT DISTRICT
Revenue Mix**



☐ Tax Increment

☒ Sewer District

☐ Impact Fees

c. Description of the Public Facilities. This is unchanged by the amendment. Infrastructure development includes a series of 18", 10" and 8" sanitary sewer lines, along with two pump stations. The facility is depicted on Map 2 and further described in a report produced by Wright-Pierce Engineers, Topsham. (Appendix)

The completed project will be accepted by the Brunswick Sewer District. The District will then be responsible for all operational and maintenance costs.

d. Current and Proposed Use of Private Property. This is unchanged by the amendment. Current land use patterns are presented in Map 3. Existing uses include commercial industrial and residential properties, as well as a large segment of undeveloped land. Proposed Uses center on the zoning ordinance (See Map 4). The combination of a Commercial Development District and Mixed Use District is intended to provide for retail development closer to the major transportation routes, while allowing industrial development further east on Bath Road.

e. Relocation Plans. This is unchanged by the amendment. Not Applicable.

f. Pedestrian/Vehicle Plan. This is unchanged by the amendment. Not Applicable. (All improvements are intended to be made within the Town right-of-way; no disruption is anticipated.)

g. Environmental Controls. This is unchanged by the amendment. This is a municipal construction project within an existing right-of-way. While permits from the Department of Environmental Protection are anticipated, no negative environmental impact is anticipated. Construction practices will incorporate appropriate erosion and sedimentation stabilization practices.

h. District Operation Following Improvements. This is unchanged by the amendment. The Town of Brunswick Finance Department will be responsible for the collection of appropriate revenue to be applied to debt retirement. Impact fees will be collected at the time site plan approval is granted by the Planning Board for any given project hooking up to the Sanitary Sewer System. Sewer district fees will be collected by the Town from the Sewer District on an annual basis. Revenue produced through the tax increment financing district will be applied to debt retirement, with records kept indicating the portions dedicated to the development sinking fund and general revenue.

SECTION II PHYSICAL DESCRIPTION

The physical description of the District has been changed by the amendment which removes from the District a 28 acre parcel of property owned by Bath Iron Works. The real and personal property value of the removed parcel, as of April 1, 1988, is \$14,774,300. The amended District is now described as follows:

1.	Total acreage of municipality (45 square miles)	28,800 acres
2.	Total acreage proposed for tax increment financing district	535 acres
3.	Percent line 2 of line 1 (cannot exceed 2%)	1.86%
4.	Total acreage of all existing TIF districts in the municipality	0 acres
5.	(1) Acreage of blighted area	0 acres
	(2) Acreage in need of rehabilitation, redevelopment or conservation	0 acres
	(3) Acreage suitable for industrial sites	262 acres
6.	Percent of TIF acreage suitable for industrial use (must equal at least 25%)	46.3%
7.	Percent of Town's assessed value within District	4.17%

SECTION III MUNICIPAL AMENDMENT APPROVAL

See the following attached materials:

PUBLIC HEARING NOTICE
 MINUTES OF PUBLIC MEETING
 TIF RESOLUTION
 LETTER OF SUPPORT FROM PLANNING BOARD
 LETTER OF ENDORSEMENT FROM BRUNSWICK SEWER DISTRICT

SECTION IV FINANCIAL PLAN

The financial plan is significantly altered by the amendment. The following more fully describes the amended financial plan intended to finance the sewer expansion. The three components represent a 20 year debt retirement program.

- a. Sewer District Fee. The total amount to be collected from the Sewer District Fee is estimated at \$593,660, or approximately 20% of the total cost. Please see Table 2.

- b. Impact Fee. Impact fees are expected to raise \$50,000, or approximately 2% of the total cost. Per the Town's zoning ordinance, the fee would be charged over a ten year period and would apply to projects going through subdivision or site plan review only. Anticipated annual revenue is expected to be \$5,000. The impact fee calculation will be based upon a charge of approximately \$3.22 per gallon per day contributed by the development, said gallon per day computation to be certified by a registered engineer.
- c. Tax Increment Financing Revenue. Tax increment financing is expected to produce \$2,368,275 in revenue, or approximately 78% of the total cost. Table 2 presents the percent of available tax increment financing revenue to be applied to debt reduction during the projected life of the district, and tracks the development of the revenue that will flow from the increment district.

It is conservatively estimated that the presence of the sanitary sewer will generate an average of \$500,000 of new taxable value per year over the life of the District, except that in 1989 the value is known to be \$1.7 million and in 1990 is expected to be \$5.0 million. All District values, including the base value of the District as of April 1, 1988, will be increased either through a revaluation or factoring in the years 1994, 2000, 2006. The increased value that results will be added to the captured assessed value of the District.

Table 2 projects the maximum captured assessed value, the percent of the tax yield utilized for the T.I.F., and the tax increment yield revenue.

Table 2 also sets forth the anticipated flow of funds into and out of the Development Fund. The credits to the Development Fund are generated by the tax increment yield revenue, Sewer District contributions, and impact fees. The annual debt amortization payments are deducted; the annual estimated flow of funds results in the estimated balance in the Development Fund shown in the column headed Development Fund Accumulative.

In Table 3, please find the amortization schedule prepared by the Maine Bond bank and utilized in assessing total project cost.

There is no impact on other taxing jurisdictions.

SECTION V DEVELOPMENT COSTS

Costs associated with the development include \$1,250,000 in construction related costs, \$250,000 in related engineering costs and \$1,468,275 in debt amortization costs. Sources of revenue to cover those costs are presented in the financial plan and in Tables 2.

SECTION VI APPENDICES

Attachment 1 Bath Road Sewer Study
Wright-Pierce; July, 1987

Attachment 2 Brunswick Comprehensive Plan

YEAR	NEW CONSTRUCTION	REAPPRAISAL APPRECIATION	TOTAL REAL ESTATE	PERSONAL PROPERTY	TOTAL TIF DISTRICT VALUE	INCREMENTAL VALUE	% VALUE FOR TIF	CAPTURED ASSESSED VALUATION	TAX RATE	TAX INCREMENT REVENUE	CAPTURED TAX INCREMENT REVENUE	SEWER DISTRICT REVENUE	IMPACT FEE REVENUE	TOTAL TIF DISTRICT REVENUE	DEBT AMOR-TIZATION	DEVELOPMENT FUND BALANCE
FROZEN VALUES			30,830,100	2,807,400	33,637,500											
1989-90	1,700,000		32,530,100	2,667,000	35,197,100	1,559,600	100%	1,559,600	0.0144	22,458	22,458	0	5,000	27,458	0	27,458
1990-91	5,000,000		37,530,100	2,533,600	40,063,700	6,426,200	100%	6,426,200	0.0144	92,537	92,537	30,523	5,000	118,060	102,614	42,904
1991-92	500,000		38,030,100	3,406,900	41,437,000	7,799,500	100%	7,799,500	0.0144	112,313	112,313	31,142	5,000	148,455	155,708	35,651
1992-93	500,000		38,530,100	3,236,500	41,766,600	8,129,100	100%	8,129,100	0.0144	117,059	117,059	30,512	5,000	152,571	152,558	35,664
1993-94	500,000		39,030,100	3,074,700	42,104,800	8,467,300	100%	8,467,300	0.0144	121,929	121,929	29,882	5,000	156,811	149,408	43,067
1994-95	500,000	4,683,612	44,213,712	2,921,000	47,134,712	13,497,212	75%	10,122,909	0.0130	175,464	131,598	29,252	5,000	165,850	146,258	62,659
1995-96	500,000		44,713,712	2,775,000	47,488,712	13,851,212	75%	10,388,409	0.0130	180,066	135,049	28,627	5,000	168,666	143,085	88,240
1996-97	500,000		45,213,712	2,636,200	47,849,912	14,212,412	75%	10,659,309	0.0130	184,761	138,571	28,943	5,000	172,514	144,713	116,041
1997-98	500,000		45,713,712	2,504,400	48,218,112	14,580,612	75%	10,935,459	0.0130	189,548	142,161	29,197	5,000	176,358	145,985	146,414
1998-99	500,000		46,213,712	2,379,200	48,592,912	14,955,412	75%	11,216,559	0.0130	194,420	145,815	29,381	5,000	180,196	146,903	179,707
1999-00	500,000		46,713,712	2,260,200	48,973,912	15,336,412	75%	11,502,309	0.0130	199,373	149,530	29,493	0	179,023	147,465	211,265
2000-01	500,000	5,605,645	52,819,357	2,147,200	54,966,557	21,329,057	50%	10,664,529	0.0120	255,949	127,974	29,524	0	157,498	147,620	221,143
2001-02	500,000		53,319,357	2,039,800	55,359,157	21,721,657	50%	10,860,829	0.0120	260,660	130,330	29,462	0	159,792	147,308	233,627
2002-03	500,000		53,819,357	1,937,800	55,757,157	22,119,657	50%	11,059,829	0.0120	265,436	132,718	29,307	0	162,025	146,513	249,119
2003-04	500,000		54,319,357	1,840,900	56,160,257	22,522,757	50%	11,261,379	0.0120	270,273	135,117	29,061	0	164,198	145,303	268,014
2004-05	500,000		54,819,357	1,748,800	56,568,157	22,930,257	50%	11,465,329	0.0120	275,168	137,584	28,711	0	166,315	143,653	290,676
2005-06	500,000		55,319,357	1,661,400	56,980,757	23,343,257	50%	11,671,629	0.0120	280,119	140,060	28,315	0	168,375	141,575	317,476
2006-07	500,000	6,638,323	62,457,680	1,578,300	64,035,980	30,398,480	25%	7,599,620	0.0110	334,383	83,596	27,809	0	111,405	139,043	289,838
2007-08	500,000		62,957,680	1,499,400	64,457,080	30,819,580	20%	6,163,916	0.0110	339,015	67,803	27,220	0	95,021	136,099	248,762
2008-09	500,000		63,457,680	1,424,400	64,882,080	31,244,580	15%	4,686,687	0.0110	343,690	51,554	26,548	0	78,102	132,740	194,124
2009-10	500,000		63,957,680	1,353,200	65,310,880	31,673,380	10%	3,167,338	0.0110	348,407	34,841	25,793	0	60,634	128,965	125,793
2010-11	500,000		64,457,680	1,285,500	65,743,180	32,105,680	5%	1,605,284	0.0110	353,162	17,658	24,948	0	42,606	124,740	43,659
TOTAL											2,368,275	593,660	50,000	3,011,935	2,968,276	

YEAR	NEW CONSTRUCTION	REAPPRAISAL APPRECIATION	TOTAL REAL ESTATE	PERSONAL PROPERTY	TOTAL TIF DISTRICT VALUE	INCREMENTAL VALUE	% VALUE FOR TIF	CAPTURED ASSESSED VALUATION	TAX RATE	TAX INCREMENT REVENUE	CAPTURED TAX INCREMENT REVENUE	SEWER DISTRICT REVENUE	IMPACT FEE REVENUE	TOTAL TIF DISTRICT REVENUE	DEBT AMOR-TIZATION	DEVELOPM FUND BALANC	
FROZEN VALUES			20,830,100	2,807,400	33,637,500												
1989-90	1,700,000		32,530,100	2,667,000	35,197,100	1,559,600	100%	1,559,600	0.0144	22,458	22,458	0	5,000	27,458	0	27,458	
1990-91	5,000,000		37,530,100	2,533,600	40,063,700	6,426,200	100%	6,426,200	0.0144	92,537	92,537	20,523	5,000	118,060	102,614	42,900	
1991-92	500,000		38,030,100	3,406,900	41,437,000	7,799,500	100%	7,799,500	0.0144	112,213	112,213	31,142	5,000	148,455	155,708	35,600	
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1997-98	500,000		45,713,712	2,504,400	48,218,112	14,580,612	75%	10,935,458	0.0130	189,548	142,161	29,197	5,000	176,358	145,985	146,400	
1998-99	500,000		46,213,712	2,379,200	48,592,912	14,955,412	75%	11,216,559	0.0130	194,420	145,815	29,381	5,000	180,196	146,903	179,700	
1999-00	500,000		46,713,712	2,260,200	48,973,912	15,336,412	75%	11,502,309	0.0130	199,373	149,530	29,493	0	179,023	147,465	211,200	
2000-01	500,000	5,605,645	52,319,357	2,147,200	54,466,557	21,329,057	50%	10,664,529	0.0120	255,949	127,974	29,524	0	157,498	147,620	221,100	
2001-02	500,000		53,319,357	2,039,800	55,359,157	21,721,657	50%	10,860,829	0.0120	260,650	130,330	29,462	0	159,792	147,308	233,600	
2002-03	500,000		53,819,357	1,937,800	55,757,157	22,119,657	50%	11,059,829	0.0120	265,426	132,718	29,307	0	162,325	146,533	249,100	
2003-04	500,000		54,319,357	1,840,900	56,160,257	22,522,757	50%	11,261,379	0.0120	270,273	135,137	29,061	0	164,198	145,303	268,000	
2004-05	500,000		54,819,357	1,748,800	56,568,157	22,930,657	50%	11,465,329	0.0120	275,168	137,584	28,751	0	165,315	143,653	290,600	
2005-06	500,000		55,319,357	1,661,400	56,980,757	23,343,257	50%	11,671,629	0.0120	280,119	140,060	28,315	0	166,376	141,575	317,400	
2006-07	500,000	6,638,323	62,457,680	1,578,300	64,035,980	30,398,480	25%	7,599,620	0.0110	334,383	81,596	27,309	0	111,405	139,043	289,800	
2007-08	500,000		62,957,680	1,499,400	64,457,080	30,819,580	20%	6,163,916	0.0110	339,015	67,801	27,220	0	95,023	136,099	248,760	
2008-09	500,000		63,457,680	1,424,400	64,882,080	31,244,580	15%	4,686,687	0.0110	343,690	51,554	26,548	0	78,102	132,740	194,100	
2009-10	500,000		63,957,680	1,353,200	65,310,880	31,673,580	10%	3,167,328	0.0110	348,407	34,841	25,793	0	60,634	128,963	125,790	
2010-11	500,000		64,457,680	1,285,500	65,743,180	32,105,680	5%	1,605,284	0.0110	353,162	17,658	24,948	0	42,506	124,740	42,650	
TOTAL											2,368,275	293,660	50,000	3,011,935	2,968,276		

February 5, 1990

TO: Town Council
FROM: *John S. Eidridge*
SUBJ: Amendment to Bath Road
Development TIF District

In the fall of 1989, errors were discovered in the TIF District approved by the Council on March 6, 1989. The initial valuation of the District exceeded statutory limits and the financial plan appeared to overestimate impact fee revenues. In approving the TIF, the Department of Economic and Community Development capped the District's captured assessed valuation at \$9,549,000 per year. Because of this cap, the Town would fall short on its debt service payments if the impact fees projected were not realized.

The amendment summarized in the attachment proposes redraw the District boundaries so the initial valuation of the District will be in statutory compliance. It also substantially scales back impact fee projections. Different assumptions were also utilized by the Tax Assessor to project growth in District valuation. As a result of these changes, it is also necessary to amend the percentage of the District's incremental value that the Town wishes to capture each year. The amended financial plan, including the captured percentages, is shown on the attached table.

To amend the District and financial plan, the Town must follow the procedures followed to adopt the TIF. The amendment will be reviewed by the Planning Board at its February 13, 1990 meeting. The Council is asked to establish a February 20, 1990 public hearing to present the amendment. A public hearing notice and a draft resolution amending the TIF are also attached.

So long as these issues remain outstanding, the Town is unable to proceed with borrowing necessary to fund the sewer extension. Assuming the Council adopts the resolution to amend the District at its February 20, 1990 meeting, the Council will be asked to adopt a resolution authorizing the issuance of Bond Anticipation Notes (BAN's). These will provide the funds necessary to carry the Project until permanent financing can be obtained. Permanent financing is expected in April or May.

BATH ROAD DEVELOPMENT DISTRICT AMENDMENT

AMENDMENT SUMMARY

In the fall of 1989, the Town of Brunswick discovered errors in its Tax Increment Finance District approved by the Department of Economic and Community Development effective March 21, 1989. Specifically, the initial real and personal property valuation of the District exceeded 5% of the total equalized value of the Town. Also, the financial plan overestimated the amount of impact fees likely to be generated from the District. This amendment proposes to redraw the District boundaries and amend the financial plan. The scope, purpose and all other aspects of the project remain the same.

DISTRICT BOUNDARY

This amendment proposes to redraw the boundaries of the District to reduce the initial valuation of the District below 5%. This is accomplished by eliminating a parcel of property owned by Bath Iron Works and identified on the Tax Assessors April 1, 1988 maps as map 046 lot 001. By removing this parcel from the District the total taxable real and personal property of the District is reduced from \$48,411,800 to \$33,637,500. This reduces the District's percentage of the Town's total taxable value from 6.00% to 4.17%. The remaining District boundaries are unchanged.

FINANCIAL PLAN

The amendment to the financial plan proposes to alter the revenue mix necessary to retire the project's debt. Projected impact fees are reduced from 15% to 2% while the estimated incremental tax revenue is increased from 65% to 78% of the total projected revenues. The financial plan also reflects different assumptions for the growth of taxable property within the District.

a) Sewer District Fees - The Brunswick Sewer District has committed to providing 20% of the project's debt service cost over a twenty year period. This commitment has not changed.

b) Impact Fee Revenues - Impact fees will be applied to projects subject to the Town's subdivision or site review regulations. These fees will be applicable during the first ten years of the District's life. This amendment reduces the amount of impact fees projected during that period from \$441,960 to \$50,000. This reduction is the result of substantially scaling back the anticipated sewerage flows subject to the fee. The per gallon impact fee of \$3.22 is not changed.

c) Tax Increment Financing Revenue - Because of the substantial reduction in projected impact fee revenues, it is necessary to increase the portion of revenue to be carried by the incremental tax revenues. The amendment also amends the projection of growth in taxable income and tax rates as follows:

1. Real estate valuation is conservatively estimated to increase \$500,000 per year except in 1989 when it is known to have increased by \$1.7 million and in 1990 when it is projected to increase \$5.0 million.

2. With the exception of a \$900,000 increase projected in 1991-92, there is no projected increase in personal property value for the District. The value of the existing personal property within the District as of April 1, 1988 is expected to decrease as the result of depreciation.

3. The base value of the District as of April 1, 1988 will be increased through either a revaluation or factoring of existing values in the years 1994, 2000, 2006. The resulting increase in value is considered in the calculation of the captured assessed value.

4. The original application assumed a stable tax rate of \$14.40 over the life of the District. The actual tax rate in 1989 was \$14.40 and is therefore used as the starting point in the amended financial plan. In those years property is revalued or values increased as a result of factoring, the tax rate is expected to decrease. The decreasing tax rates are reflected in the calculation of incremental tax revenues.

d. As a result of changes in the projected impact fees, the growth of taxable valuation and the tax rate, the percentages of taxable valuation utilized by the District are amended to meet the District's debt service requirements.

e. Debt Service Requirements - The Debt service requirements are unchanged from the original application. Although interest rates have fallen slightly since the original application was prepared, we have chosen to use the more conservative schedule.

TOWN OF BRUNSWICK, MAINE

TOWN COUNCIL

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRUNSWICK, MAINE
AMENDING THE DESIGNATION OF THE BATH ROAD MUNICIPAL
DEVELOPMENT DISTRICT AND AMENDING THE DEVELOPMENT
PROGRAM FOR THE DISTRICT

WHEREAS, the Town of Brunswick has designated the Bath Road Municipal Development District (the "District") pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, by resolution adopted March 6, 1989, and pursuant to the same resolution adopted a Development Program for the District (the "Development Program"); and

WHEREAS, the Town Council is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to amend the designation of a Municipal Development District and to amend the Development Program for such District; and

WHEREAS, the Town Council has consulted with the Planning Board of the Town of Brunswick regarding the proposed amendments to the District and the Development Program; and

WHEREAS, the Town Council has held a public hearing on the question of amending the District in accordance with the requirements of 30-A M.R.S.A. §5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town Council desires to amend the District and amend the Development Program for the District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the amendment of the designation of the District and the amendment of the Development Program for the District;

NOW, THEREFORE, BE IT VOTED AND RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRUNSWICK, MAINE:

Section 1. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby amends and restates the designation of the Bath Road Municipal Development District as more particularly set forth in the Description of Bath Road Municipal Development District attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby amends and restates the Bath Road Municipal Development District Development Program to the form presented to this Council, which form is attached hereto as Exhibit B and such Development Program, as amended, is hereby incorporated by reference into this Resolution as the amended Development Program for the District.

Section 3. The Town Council hereby finds and determines that:

(a) At least 25%, by area, of the real property within the District, as herein amended, is suitable for industrial sites as defined in 30-A M.R.S.A. §5253; and

(b) The total area of the District, as amended, does not exceed 2% of the total acreage of the Town of Brunswick and the Town of Brunswick has not designated any other municipal development districts pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, or pursuant to Chapter 239, Subchapter III-B of former Title 30 of the Maine Revised Statutes, as amended; and

(c) The aggregate value of equalized taxable property of the District as amended, does not exceed 5% of the total value of equalized taxable property within the Town; and

(d) The aggregate value of indebtedness financed by the proceeds from tax increment financing districts within Cumberland County, including the proposed District, does not exceed \$50 million; and

(e) The increase in captured assessed value of property within all current tax increment financing districts within Cumberland County, including the proposed District, does not exceed the lesser of 1% of the total annual value of equalized taxable property within Cumberland County annually or \$20 million within a 24-month period; and

(f) The Town Council expects that the Development Program will be completed within 5 years of March 21, 1989, the effective date of approval of designation of the District by the Commissioner of Economic and Community Development.

Section 4. Pursuant to the provisions of 30-A M.R.S.A. §5254, the Town hereby adopts the following statement of the percentage of captured assessed value to be retained by the Town for purposes of said Section 5254;

Town Fiscal Year

Percentage Retained

1989	100 %
1990	100 %
1991	100 %
1992	100 %
1993	100 %
1994	75 %
1995	75 %
1996	75 %
1997	75 %
1998	75 %
1999	75 %
2000	50 %
2001	50 %
2002	50 %
2003	50 %
2004	50 %
2005	50 %
2006	25 %
2007	20 %
2008	15 %
2009	10 %
2010	5 %

Section 5. The Town Manager be, and hereby is, authorized, empowered and directed to submit the proposed amendment of the District to the State of Maine Commissioner of Economic and Community Development for review pursuant to requirements of 30-A M.R.S.A. §5253(1)(F).

Section 6. The foregoing amendment of the District and the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the amendment by the Commissioner of Economic and Community Development, without requirement of further action by this Council, the Town or any of its municipal officers.

Dated: Feb. 20, 1990

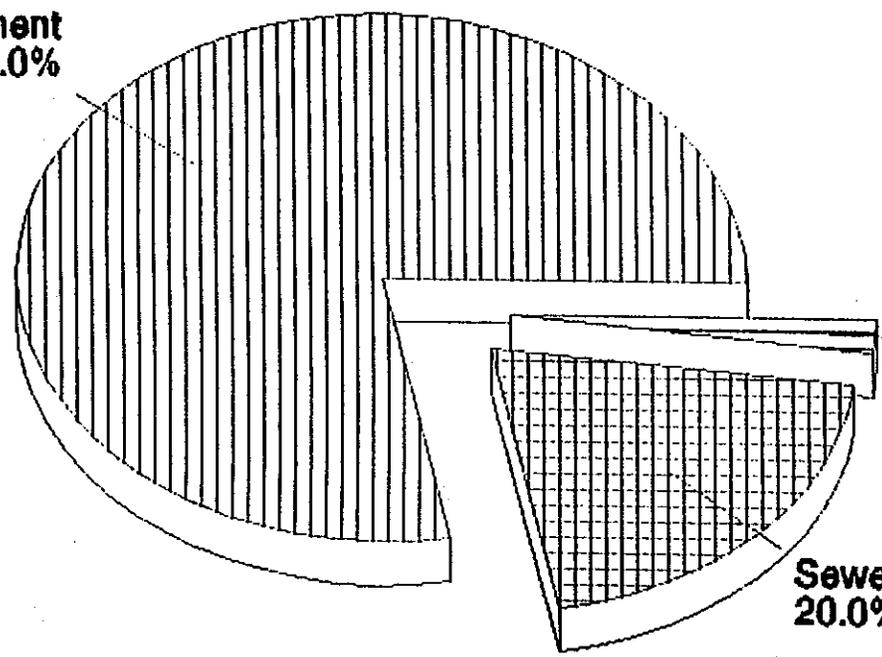
ATTEST:

Gail S. Hodson
Clerk

WPPCEH--1860

**TOWN OF BRUNSWICK
BATH ROAD DEVELOPMENT DISTRICT
Revenue Mix**

**Tax Increment
78.0%**



**Impact Fees
2.0%**

**Sewer District
20.0%**

Tax Increment

Sewer District

Impact Fees

PUBLIC HEARING

BATH ROAD TAX INCREMENT FINANCING DISTRICT

The Brunswick Town Council will hold a public hearing on Tuesday, February 20, 1990 at 7:30 p.m. in the Upstairs Meeting Room of the Curtis Memorial Library, 23 Pleasant Street, on a proposed amendment of the Town's Bath Road Tax Increment Financing District designated March 6, 1989.

The amendment proposes to redraw the boudaries of the District, and revise the financial plan to reduce projected impact fees and change growth assumptions for taxable property with the District.

The amendment of the Tax Increment Financing District is allowed under Maine Law (30 MRSA, Section 4863 et seq.), and is subject to approval by the Maine Department of Community and Economic Development.

All interested persons owning real estate or taxable property located within the district will be given an opportunity to be heard.

The full application may be viewed in the Office of the Town Clerk.

Reginald G. Pinkham, Chairman

Brunswick Town Council

**EXHIBIT A
TO
TAX INCREMENT FINANCING DISTRICT RESOLUTION**

The Bath Road Municipal Development District, as outlined on Map 1, consists of the following lots and portions of lots shown on the 1988 Assessors Maps, Brunswick, Maine, on file in the Office of the Brunswick Town Clerk, Municipal Building, 28 Federal Street:

Map CC2

All of lots 14, 14A, 18 through 23, and 36 through 42.

Map 42

All of lots 2, 5, 5A, 8, 11, 13, 50, and that portion of lot 16 which lies northerly of the southerly sideline of the Central Maine Power Company right-of-way crossing the lot in a generally east-west direction.

Map 45

All of lots 1B, 1C, 2C, 6A, 8A, 18 through 31, 31B, and 33 through 41 and 42 through 46, and that portion of lots 17, 31A, 32 and 49 which lie within the Mixed Used Zone 1 zoning district. The zoning district line is established as 2,000 feet southerly of Bath Road right-of-way.

Map 46

All of lots 2, 3C, 4, 5 through 16, 18 through 20, 22, 23, 28, 39C, 59 and 60, and that portion of lot 38 lying between Bath Road and a line 400 feet northerly of Harding Road.

BRUNSWICK TOWN COUNCIL

MINUTES

FEBRUARY 20, 1990

Council Chairman Reginald Pinkham called the meeting to order at 7:30 p.m. and he asked the secretary to call the roll:

COUNCIL PRESENT:

Chairman Reginald Pinkham, Virginia Royall, Ruth Fraser, Peter Gross, Mary Ellen Thatcher, Marybeth Burbank, Douglas Morton, Robert Shepherd and Richard Lord.

OTHERS PRESENT:

Town Manager Donald Gerrish, Admin. Assist. Jane Drummond Fiori, Finance Director John Eldridge, Planner Amy Naylor-Davis, School Superintendent Dale Douglass, approximately 75 residents, members of the press and Casco Cable TV.

MINUTES OF MEETING OF FEBRUARY 5, 1990:

A MOTION WAS MADE BY COUNCILOR MORTON, SECONDED BY COUNCILOR SHEPHERD AND UNANIMOUSLY VOTED TO APPROVE THE MINUTES AS DISTRIBUTED. 9-0.

CORRESPONDENCE:

Peter Choate, Chairman of the Comprehensive Planning Committee, updated the Council on the status of the Comp. Plan. A list of core committee members has been established and a copy given to the Council. An organizational chart was also distributed showing the breakdown of the various subcommittees. A "kick-off" meeting is scheduled for February 28th at the Brunswick Junior High School at 7:00 p.m. which is open to the public.

TOWN MANAGER'S REPORT:

Mr. Gerrish reminded everyone of the workshop scheduled for Wednesday, evening at 7:00 p.m. here at the Library sponsored by representatives of the Brunswick Naval Air Station regarding cleanup of hazardous waste areas on the base. The process, funding and time-frame will be discussed.

Mr. Gerrish stated that he has spoken with representatives of Casco Cable regarding their automatically shutting off council meetings at 11:00 p.m. They have agreed that from now on, any Council meetings they are covering will be shown in their entirety.

Everyone was reminded of the Governor's visit on Thursday as Brunswick shares the title "Capital for a Day" with Topsham. His final schedule is not yet known however from 9:00 a.m. to 6:00 p.m. there will be representatives from the Governor's office or Commissioners themselves at the Brunswick Junior High School to answer questions. A Town Meeting will also be held from 5:00 to 6:00 p.m. at the junior high.

A TRUE RECORD

ATTEST:

Paul S. Hodson
TOWN CLERK, BRUNSWICK, ME.

BRUNSWICK TOWN COUNCIL
MINUTES, FEBRUARY 20, 1990
PAGE TWO

Mr. Gerrish noted there is one change in the proposed budget meeting schedule: instead of meeting on Monday, April 16th (Patriot's Day - office is closed) council will meet on Tuesday, April 17th.

Mr. Gerrish asked to amend the order of the agenda as follows: Take items # 45, 46, 47 and 50 prior to item #43.

41. THE COUNCIL WILL RECEIVE COMMENTS FROM THE PUBLIC REGARDING TAKING ACTION ON AMENDING THE RESOLUTION ON THE TAX INCREMENT FINANCING DISTRICT FOR THE BATH ROAD SEWER.

Public Hearing opened at 7:38 p.m.

Finance Director John Eldridge explained the need to amend the current Resolution. The amendment proposes to redraw the boundaries of the District (this must be done to be in statutory compliance) and revise the financial plan to reduce projected impact fees and change growth assumptions for taxable property with the District. He noted the amendment is subject to review by the Planning Board as well as approval by the Maine Department of Community and Economic Development. The Town is unable to proceed with borrowing necessary to fund the sewer extension until this amendment is adopted.

Public hearing closed at 8:36 p.m.

Following a lengthy discussion the following motion was made:

A MOTION WAS MADE BY COUNCILOR THACHER TO ACCEPT THE AMENDMENTS AS RECOMMENDED WITH THE CONSIDERATION OF RESEARCHING AN INCREASE IN IMPACT FEES TO THE OPTIMUM LEGAL AMOUNT ALLOWED AND REPORT BACK TO THE COUNCIL. SECONDED BY COUNCILOR MORTON. IN FAVOR: ROYALL, FRASER, GROSS, THACHER, PINKHAM, BURBANK, MORTON AND SHEPHERD. OPPOSED: LORD. MOTION PASSED 8-1.

NOTE: A copy of the amended Resolution is filed with the original minutes.

42. THE COUNCIL WILL RECEIVE COMMENTS FROM THE PUBLIC ON AMENDING ON A REGULAR AND EMERGENCY BASIS THE BRUNSWICK ZONING MAP TO REZONE THE HDIZ (HIGH DENSITY INDUSTRIAL ZONE) PORTION OF MAP 46, LOT 11 TO THE CRID (COUNTRY RESIDENTIAL I DISTRICT).

Public hearing opened at 8:37 p.m. Public hearing closed at 8:38 p.m.

This item has been reviewed by the Planning Board and they have recommended that the rezoning take place.

A MOTION WAS MADE BY COUNCILOR SHEPHERD TO APPROVE THE AMENDMENTS TO THE BRUNSWICK ZONING MAP TO REZONE THE HDIZ PORTION OF MAP 46, LOT 11 TO THE CRID, BOTH AS A REGULAR AND EMERGENCY AMENDMENT. SECONDED BY COUNCILOR PINKHAM AND UNANIMOUSLY VOTED 9-0.

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PAGE THREE**

45. THE TOWN COUNCIL WILL TAKE APPROPRIATE ACTION CONCERNING THE DONATION OF THE 250TH ANNIVERSARY QUILT.

Mr. Gerrish introduced Jan Tardiff of Kaleidoscope Quilters who presented the 250th anniversary quilt to the Town of Brunswick. The Kaleidoscope Quilters also requested that the Council allow them to remove the quilt to show at a quilt show in Freeport on March 9, 10th and 11th. They will return the quilt on March 12th. They also asked to display it at the Maine Quilters 90 in July. Permission was also asked for photographing the quilt for the purpose of producing a post card.

A MOTION WAS MADE BY COUNCILOR BURBANK, SECONDED BY COUNCILOR SHEPHERD TO GRANT KALEIDOSCOPE QUILTERS' REQUESTS. UNANIMOUS VOTE 9-0.

46. THE TOWN COUNCIL WILL RECEIVE A REPORT FROM THE BIW DONATION COMMITTEE ON UTILIZATION OF THE \$20,000 DONATED TO THE TOWN FOR CONSERVATION AND RECREATION PROJECTS.

The committee met on January 4, 1990. Committee members present were: Marybeth Burbank, Town Councilor, Rita Worthing, Planning Board, Jeanne Johnson, Conservation Commission, Joan Hoppe, Town Commons Committee, Robyn McCausland, School Board, Marilyn Dwyer, Village Improvement Association, and John Mulrooney, Recreation Commission. The committee made the following recommendation:

1. The \$20,000 donation from BIW be used toward the acquisition of the Cumberland Farms property to be used as the 250th Anniversary Park;
2. The Council authorize the use of these funds after the appropriate remaining funds have been raised toward the purchase of the property; and
3. If the project does not materialize that the Committee reconvene and make a new recommendation to the Council.

A MOTION WAS MADE BY COUNCILOR SHEPHERD, SECONDED BY COUNCILOR MORTON TO ACCEPT THE REPORT FROM THE BIW DONATION COMMITTEE. UNANIMOUS VOTE 9-0.

47. THE TOWN COUNCIL WILL CONSIDER AND TAKE ANY NECESSARY ACTION CONCERNING ACQUIRING PROPERTY AND DEVELOPING A 250TH ANNIVERSARY PARK.

Councilor Burbank explained that the 250th Anniversary Birthday Committee has talked about the possibility of acquiring the Cumberland Farms property as a legacy for the 250th Birthday of the Town. Cumberland Farms will sell the property to the Town at a cost of \$175,000. The funds for the purchase of the property would come primarily from private donations. The property would be made into a public park. The Town currently owns property adjacent to this lot. Town funds which would need to be utilized are as follows: \$20,000 from the BIW donation for Conservation and Recreation purposes; \$15,000 from the Conservation Commission from timber cutting on Town property, and \$28,000 from the 250th Anniversary Committee. The proposal would be to have

**BRUNSWICK TOWN COUNCIL
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the private donations go to the Land Trust and when the necessary funds have been raised, the funds of the Town would be available to help with the purchase of the property. (Approximately \$43,000 has been pledged to date) The property would then be given to the Town with restriction that it be kept forever public and never be sold.

Several people spoke in favor and against the proposal. A suggestion was made by Councilor Thatcher that the Recreation Commission be asked to review the proposal and give the Council an estimate of the cost for long term maintenance of the park and report back to the Council. She also asked for a structural sketch of what the area would look like.

After a lengthy discussion the following motion was made:

A MOTION WAS MADE BY COUNCILOR BURBANK, SECONDED BY COUNCILOR SHEPHERD TO TABLE THIS ITEM. UNANIMOUS VOTE 9-0.

50. THE TOWN COUNCIL WILL DISCUSS AND TAKE APPROPRIATE ACTION CONCERNING A REQUEST FROM AMABLE CARON TO CLARIFY OWNERSHIP OF PROPERTY BETWEEN THE TOWN AND MR. CARON.

Mr. Gerrish explained that a question has arisen concerning the ownership of a parcel of property located between Lombard Street and Summer Street. Amable Caron is trying to sell a portion of property he owns. Mr. Caron owns lot 14 and believes he also owns Lot 12 on Map-U23. The Town has been taxing Mr. Caron for lot #13 since at least 1957. A survey of the properties involved have raised issue with the lines and ownership. Mr. Caron is asking that the Town issue a Quit Claim deed to him for Lot 13, Map U-23. The Town Manager recommends the Town issue the Quit Claim deed.

A MOTION WAS MADE BY COUNCILOR SHEPHERD, SECONDED BY COUNCILOR MORTON AND UNANIMOUSLY VOTED TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A QUIT CLAIM DEED TO AMABLE CARON FOR LOT 13 ON MAP U-23. 9-0.

43. THE TOWN COUNCIL WILL DISCUSS AND TAKE APPROPRIATE ACTION CONCERNING THEIR RULES OF PROCEDURE CONCERNING APPOINTMENT TO MUNICIPAL BOARDS AND COMMISSIONS.

A citizen who is currently serving on a Town committee and is interested in serving on the High School Building Committee asked for clarification of Rule 31 of the Council's Rules of Procedure which states ".....Appointees must be residents of the Town, may not be full time employees of the Town, and may not be members of more than one official board or commission at a time including sewer and water districts."

In checking with the Town Attorney, Mr. Gerrish learned that basically the Council adopted the rules and ".....it is within the province of the Council to interpret its own rule."

It was noted that the Rules of Procedure have not been updated since they were adopted in 1970. It was agreed they need to be reviewed.

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A MOTION WAS MADE BY COUNCILOR GROSS, SECONDED BY COUNCILOR THACHER AND UNANIMOUSLY VOTED TO SUSPEND RULE #31 OF THE TOWN COUNCIL RULES OF PROCEDURE. 9-0.

44. THE TOWN COUNCIL WILL CONSIDER MAKING APPOINTMENTS TO THE HIGH SCHOOL BUILDING COMMITTEE AND FURTHER CONSIDER ADOPTING THE CHARGE TO THE COMMITTEE.

The following appointments were made to the High School Building Committee:

Construction and Building Materials (2 members)

BY MAJORITY VOTE OF COUNCIL DAVID SHAW AND FREDERICK WENDELKIN WERE APPOINTED.

Engineer

BY MAJORITY VOTE OF COUNCIL RODERICK DONALD BARD WAS APPOINTED

Art, Architecture & Design

BY MAJORITY VOTE OF COUNCIL STEVEN NORMAND WAS APPOINTED.

Environmental Impact

BY MAJORITY VOTE OF COUNCIL EVERETT B. CARSON WAS APPOINTED.

Previous School Building Experience

BY MAJORITY VOTE OF COUNCIL, PHILIP DIONNE WAS APPOINTED.

Citizen At Large

BY MAJORITY VOTE OF COUNCIL, BARBARA SCHNURR WAS APPOINTED.

Town Councilor

BY MAJORITY VOTE OF COUNCIL MARYBETH BURBANK WAS APPOINTED.

A MOTION WAS MADE BY COUNCILOR BURBANK, SECONDED BY COUNCILOR

The Council reviewed the "Charge" of the High School Building Committee and amended it by removing (D) Report back to Council and replacing it with (D) Site planning and environmental impact study: 1) protection of bay, 2) traffic impact, and 3) wildlife impact; properly completed as necessary to obtain approval from the Brunswick Planning Board and Maine Dept. of Environmental Protection. (a copy of the charge will be attached to the original minutes to be kept on file)

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A MOTION WAS MADE BY COUNCILOR PINKHAM, SECONDED BY COUNCILOR ROYALL TO ACCEPT THE CHARGE FOR THE HIGH SCHOOL BUILDING COMMITTEE AS AMENDED. IN FAVOR: ROYALL, FRASER, GROSS, THACHER, PINKHAM, BURBANK, SHEPHERD AND LORD. OPPOSED: MORTON. MOTION PASSED 8-1.

A MOTION WAS MADE BY COUNCILOR BURBANK, SECONDED BY COUNCILOR PINKHAM TO APPOINT DAVID SHAW, FREDERICK WENDELKIN, ROBERT BARD, STEVEN NORMAND, EVERETT CARSON, PHILIP DIONNE, BARBARA SCHNURR AND MARYBETH BURBANK WITH THE SEVEN MEMBERS OF THE BRUNSWICK SCHOOL BOARD TO BE THE HIGH SCHOOL BUILDING COMMITTEE FOR THE HIGH SCHOOL WITH THE GUIDANCE OF THE CHARGE AS APPROVED AND AMENDED BY THE TOWN COUNCIL. IN FAVOR: ROYALL, FRASER, GROSS, THACHER, PINKHAM, BURBANK, SHEPHERD AND LORD. OPPOSED: MORTON. MOTION PASSED 8-1.

48. THE TOWN COUNCIL WILL CONSIDER AND TAKE ACTION CONCERNING AUTHORIZING BOND ANTICIPATION NOTES IN THE AMOUNT NOT TO EXCEED \$1,500,000 FOR THE BATH ROAD SEWER PROJECT.

A MOTION WAS MADE BY COUNCILOR MORTON, SECONDED BY COUNCILOR FRASER TO APPROVE THE RESOLUTION. IN FAVOR: ROYALL, FRASER, GROSS, PINKHAM, BURBANK, MORTON AND SHEPHERD. OPPOSED LORD. MOTION PASSED 8-1.

49. THE TOWN COUNCIL WILL CONSIDER AND TAKE ACTION CONCERNING BOND ANTICIPATION NOTES IN THE AMOUNT NOT TO EXCEED \$1,500,000 FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.

A MOTION WAS MADE BY COUNCILOR MORTON, SECONDED BY COUNCILOR FRASER AND UNANIMOUSLY VOTED TO APPROVE THE RESOLUTION. 9-0.

296.(1989) THE TOWN COUNCIL WILL CONSIDER TAKING ACTION ON THE REQUEST TO ACCEPT PARCELS OF PROPERTY FROM PARKVIEW REALTY. (TABLED FROM DECEMBER 4, 1989)

Mr. Gerrish stated that as part of the initial Planning Board approval of the Parkview VI Subdivision, the owner needed to convey land to the Town of Brunswick in addition to a number of other requirements, before the project could be started. The developer went back to the Planning Board for some minor changes in the Plan. A major issue was the proposed utility easement across Parcel Two that was to be given to the Town. It was the recommendation of the Planning Board to not grant an easement of any kind across the wetlands of Parkview VI. The Conservation Commission concurred with this recommendation. Mr. Gerrish recommended the Council follow the advice of the Planning Board and not accept the property with the easement.

A MOTION WAS MADE BY COUNCILOR BURBANK, SECONDED BY COUNCILOR THACHER TO ACCEPT THE TWO PARCELS WITHOUT THE UTILITY EASEMENT. IN FAVOR: ROYALL, FRASER, THACHER, PINKHAM, BURBANK, SHEPHERD AND LORD. OPPOSED: GROSS AND MORTON. MOTION PASSED 7-2.

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51. THE TOWN COUNCIL WILL CONSIDER ACCEPTING CERTAIN ROADS AND SECTIONS OF ROADS IN THE WILDWOOD SUBDIVISION AS PUBLIC WAYS.

Mr. Gerrish noted that portions of the following roads are up for acceptance: Wildwood Drive, Hickory Drive, Aspen Drive and Basswood Drive. Mr. Gerrish further explained that the Town is only accepting the roads themselves, not drainage or the soccer field.

A MOTION WAS MADE BY COUNCILOR MORTON, SECONDED BY COUNCILOR SHEPHERD AND UNANIMOUSLY VOTED TO ACCEPT THE SECTIONS OF ROADS AS LISTED. 9-0.

52. THE TOWN COUNCIL WILL CONSIDER AUTHORIZING THE TOWN MANAGER TO ENTER INTO A LEASE ON BEHALF OF THE TOWN WITH RAY AND CAROLYN TUFTS FOR USE OF A PORTION OF THEIR PROPERTY FOR AN INERT LANDFILL ON THE RIVER ROAD.

Mr. Gerrish stated that an agreement had been reached with the Tufts incorporating the terms that were discussed with Council in their last Executive Session. The lease is for an unlimited amount of time.

A MOTION WAS MADE BY COUNCILOR SHEPHERD, SECONDED BY COUNCILOR BURBANK AND UNANIMOUSLY VOTED TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A LEASE WITH THE RAY AND CAROLYN TUFTS FOR USE OF A PORTION OF THEIR PROPERTY FOR AN INERT LANDFILL. 9-0.

53. THE TOWN COUNCIL WILL DISCUSS AND TAKE ACTION CONCERNING INSTALLING NEW STREETLIGHTS IN VARIOUS LOCATIONS IN BRUNSWICK.

Police Chief Girardin has recommended the following streetlights be installed: McKean St. on Utility Pole #49 situated at entrance of Birch Meadow; Riverview Drive on Utility Pole #1; and Ridge Road, on every other pole: #2, #4, and #6, and Thomas Point Road on Pole #4 at entrance to Ridge Road.

A MOTION WAS MADE BY COUNCILOR SHEPHERD, SECONDED BY COUNCILOR LORD AND UNANIMOUSLY VOTED TO APPROVE THE STREETLIGHTS AS RECOMMENDED BY THE POLICE CHIEF. 9-0.

54. THE COUNCIL WILL CONSIDER APPOINTMENTS TO THE FOLLOWING BOARDS/COMMITTEES:

Planning Board-full member-balance of term to expire 2/23/91.
Trust Investment Advisory Committee-one member-balance of term to expire 5/10/90.

By majority vote of Council Sam Hawkes was elevated to full membership status on the Planning Board to fill the balance of the term to expire 2/23/91.

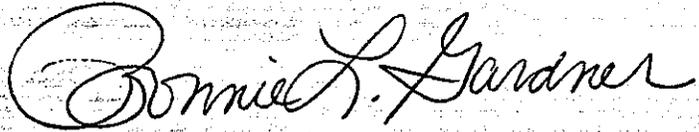
By unanimous vote of Council, Scott Bodwell was appointed as an associate member of the Planning Board for the balance of the term to expire 2/23/93.

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By unanimous vote of Council Virginia Caruso was appointed as a member of the Trust Investment Advisory Committee for the balance of the term to expire 5/1/90.

A MOTION WAS MADE BY COUNCILOR SHEPHERD, SECONDED BY COUNCILOR MORTON TO ADJOURN. UNANIMOUS VOTE 9-0.

11:28 p.m.



Bonnie L. Gardner

TOWN OF BRUNSWICK, MAINE

TOWN COUNCIL

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRUNSWICK, MAINE
AMENDING THE DESIGNATION OF THE BATH ROAD MUNICIPAL
DEVELOPMENT DISTRICT AND AMENDING THE DEVELOPMENT
PROGRAM FOR THE DISTRICT

WHEREAS, the Town of Brunswick has designated the Bath Road Municipal Development District (the "District") pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, by resolution adopted March 6, 1989, and pursuant to the same resolution adopted a Development Program for the District (the "Development Program"); and

WHEREAS, the Town Council is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to amend the designation of a Municipal Development District and to amend the Development Program for such District; and

WHEREAS, the Town Council has consulted with the Planning Board of the Town of Brunswick regarding the proposed amendments to the District and the Development Program; and

WHEREAS, the Town Council has held a public hearing on the question of amending the District in accordance with the requirements of 30-A M.R.S.A. §5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town Council desires to amend the District and amend the Development Program for the District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the amendment of the designation of the District and the amendment of the Development Program for the District;

NOW, THEREFORE, BE IT VOTED AND RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRUNSWICK, MAINE:

Section 1. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby amends and restates the designation of the Bath Road Municipal Development District as more particularly set forth in the Description of Bath Road Municipal Development District attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby amends and restates the Bath Road Municipal Development District Development Program to the form presented to this Council, which form is attached hereto as Exhibit B and such Development Program, as amended, is hereby incorporated by reference into this Resolution as the amended Development Program for the District.

Section 3. The Town Council hereby finds and determines that:

(a) At least 25%, by area, of the real property within the District, as herein amended, is suitable for industrial sites as defined in 30-A M.R.S.A. §5253; and

(b) The total area of the District, as amended, does not exceed 2% of the total acreage of the Town of Brunswick and the Town of Brunswick has not designated any other municipal development districts pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, or pursuant to Chapter 239, Subchapter III-B of former Title 30 of the Maine Revised Statutes, as amended; and

(c) The aggregate value of equalized taxable property of the District as amended, does not exceed 5% of the total value of equalized taxable property within the Town; and

(d) The aggregate value of indebtedness financed by the proceeds from tax increment financing districts within Cumberland County, including the proposed District, does not exceed \$50 million; and

(e) The increase in captured assessed value of property within all current tax increment financing districts within Cumberland County, including the proposed District, does not exceed the lesser of 1% of the total annual value of equalized taxable property within Cumberland County annually or \$20 million within a 24-month period; and

(f) The Town Council expects that the Development Program will be completed within 5 years of March 21, 1989, the effective date of approval of designation of the District by the Commissioner of Economic and Community Development.

Section 4. Pursuant to the provisions of 30-A M.R.S.A. §5254, the Town hereby adopts the following statement of the percentage of captured assessed value to be retained by the Town for purposes of said Section 5254;

Town Fiscal Year

Percentage Retained

1989	100 %
1990	100 %
1991	100 %
1992	100 %
1993	100 %
1994	75 %
1995	75 %
1996	75 %
1997	75 %
1998	75 %
1999	75 %
2000	50 %
2001	50 %
2002	50 %
2003	50 %
2004	50 %
2005	50 %
2006	25 %
2007	20 %
2008	15 %
2009	10 %
2010	5 %

Section 5. The Town Manager be, and hereby is, authorized, empowered and directed to submit the proposed amendment of the District to the State of Maine Commissioner of Economic and Community Development for review pursuant to requirements of 30-A M.R.S.A. §5253(1)(F).

Section 6. The foregoing amendment of the District and the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the amendment by the Commissioner of Economic and Community Development, without requirement of further action by this Council, the Town or any of its municipal officers.

Dated: Feb. 20, 1990

ATTEST:

Gail S. Hildner

Clerk

WPPCEH--1360

**BATH ROAD DEVELOPMENT DISTRICT
AMENDMENT**

AMENDMENT SUMMARY

In the fall of 1989, the Town of Brunswick discovered errors in its Tax Increment Finance District approved by the Department of Economic and Community Development effective March 21, 1989. Specifically, the initial real and personal property valuation of the District exceeded 5% of the total equalized value of the Town. Also, the financial plan overestimated the amount of impact fees likely to be generated from the District. This amendment proposes to redraw the District boundaries and amend the financial plan. The scope, purpose and all other aspects of the project remain the same.

DISTRICT BOUNDARY

This amendment proposes to redraw the boundaries of the District to reduce the initial valuation of the District below 5%. This is accomplished by eliminating a parcel of property owned by Bath Iron Works and identified on the Tax Assessors April 1, 1988 maps as map 046 lot 001. By removing this parcel from the District the total taxable real and personal property of the District is reduced from \$48,411,800 to \$33,637,500. This reduces the District's percentage of the Town's total taxable value from 6.00% to 4.17%. The remaining District boundaries are unchanged.

FINANCIAL PLAN

The amendment to the financial plan proposes to alter the revenue mix necessary to retire the project's debt. Projected impact fees are reduced from 15% to 2% while the estimated incremental tax revenue is increased from 65% to 78% of the total projected revenues. The financial plan also reflects different assumptions for the growth of taxable property within the District.

a) Sewer District Fees - The Brunswick Sewer District has committed to providing 20% of the project's debt service cost over a twenty year period. This commitment has not changed.

b) Impact Fee Revenues - Impact fees will be applied to projects subject to the Town's subdivision or site review regulations. These fees will be applicable during the first ten years of the District's life. This amendment reduces the amount of impact fees projected during that period from \$441,960 to \$50,000. This reduction is the result of substantially scaling back the anticipated sewerage flows subject to the fee. The per gallon impact fee of \$3.22 is not changed.

c) Tax Increment Financing Revenue - Because of the substantial reduction in projected impact fee revenues, it is necessary to increase the portion of revenue to be carried by the incremental tax revenues. The amendment also amends the projection of growth in taxable income and tax rates as follows:

1. Real estate valuation is conservatively estimated to increase \$500,000 per year except in 1989 when it is known to have increased by \$1.7 million and in 1990 when it is projected to increase \$5.0 million.

2. With the exception of a \$900,000 increase projected in 1991-92, there is no projected increase in personal property value for the District. The value of the existing personal property within the District as of April 1, 1988 is expected to decrease as the result of depreciation.

3. The base value of the District as of April 1, 1988 will be increased through either a revaluation or factoring of existing values in the years 1994, 2000, 2006. The resulting increase in value is considered in the calculation of the captured assessed value.

4. The original application assumed a stable tax rate of \$14.40 over the life of the District. The actual tax rate in 1989 was \$14.40 and is therefore used as the starting point in the amended financial plan. In those years property is revalued or values increased as a result of factoring, the tax rate is expected to decrease. The decreasing tax rates are reflected in the calculation of incremental tax revenues.

d. As a result of changes in the projected impact fees, the growth of taxable valuation and the tax rate, the percentages of taxable valuation utilized by the District are amended to meet the District's debt service requirements.

e. Debt Service Requirements - The Debt service requirements are unchanged from the original application. Although interest rates have fallen slightly since the original application was prepared, we have chosen to use the more conservative schedule.

John R. McKernan, Jr.
Governor



cc: Town Council
Planner
Finance Director
J. Gerard
M. Eddy

Nathaniel H. Bowditch
Commissioner

Department
of
ECONOMIC AND COMMUNITY DEVELOPMENT

March 21, 1989

Mr. John P. Bibber
Town Manager
Town of Brunswick
28 Federal Street
Brunswick, Maine 04967

Dear John:

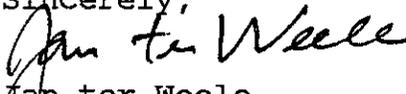
The Maine Department of Economic and Community Development has reviewed and accepted Brunswick's application to create a Tax Increment Finance District, effective March 21, 1989. Brunswick is authorized to designate a maximum captured assessed value of \$9,549,000 per year, with the tax increment arising therefrom to be used expressly for the activities defined in the development program section of the application submitted on March 14, 1989.

This approval is contingent upon our understanding that the tax increment will be held in the form of a sinking fund which will be used expressly for the repayment of the principal and interest on any notes, bonds or other form of indebtedness issued to fund the activities described in the development program. It is understood that any changes in the development program, as defined in the application, will require a new application.

The law directs that fifteen percent (15%) of the total project costs must be expended within nine months of this notification of designation, for the designation to remain in effect. Similarly, the project must be completed within five years or Brunswick will lose its district designation. As these thresholds are met, please inform me of your compliance.

This authorization remains in effect until the bond or other form of indebtedness is retired. If for any reason, Brunswick decides to forfeit this designation, Brunswick must notify the Department of Economic and Community Development.

Sincerely,


Jan ter Weele
Acting Commissioner

cc: Representative Charlene B. Rydell
Representative Charles R. Priest
Senator Nancy Randall Clark
John LaFaver, State Tax Assessor

ITEM 145

BACK UP MATERIALS

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Manager Gerrish said, responding to Councilor Webb's question about other names presented, the town had asked for names from the Governor's office and this is who they provided.

Councilor Favreau moved, Councilor Schneider seconded, to appoint Charles Spies to the Brunswick Local Redevelopment Authority. The motion carried with seven (7) yeas.

80. (ADDED) The Town Council will consider a Resolution for an Emergency Appropriation to fund renovations at the Times Record Building, and will take any appropriate action.

Manager Gerrish said the town's intention is to repair the Times Record Building with funds from selling the BEDC owned Harbor Technologies building, but the town needs to continue the work now and will have the use of CDBG funds resulting from the sale. There has been a hold on selling the Harbor Technology Building. The Times Record building is being appraised with the possibility of selling it. The town made a commitment to the college and needs to get the rest of the work done. The town has the funds in the fund balance. The town hopes to replenish funds once it is sold.

Councilor Daughtry asked when the sale of the Times Record building takes place, if it would be directly between the town and the college. Manager Gerrish responded yes.

Councilor Ewing said his concern is the town was willing to sell the Times Record building to the BDC and then this idea came along and he wants to know why the town is involved with selling the building. BDC is willing to spend money on economic development so he wonders why the money is not coming from it.

Manager Gerrish responded the BDC did discuss buying the building but wanted to wait to see what the outcome of the lease was going to be. The BEDC has not made the decision to do it.

Councilor Ewing said he is concerned with the Town of Brunswick being this involved in economic development instead of the two entities the town set up to do it. He is not going to vote for this yet. He is worried the town will be on the hook for this money if the building is not sold.

Councilor Ewing moved to table this item for two weeks. There was no second.

Mr. Eldridge said the town signed a lease with the community college, which required the town to make improvements to the property. There were three phases, with two benefiting the community college. The last phase is for a roof, which was scheduled to be done in the near future. The final \$100,000 is for the Phase 3 renovations that are not required by the lease, but sections could be leased to others or used by the town. The Council could vote for \$200,000 for Phase 2, \$200,000 for the roof, and \$100,000 for Phase 3. The BEDC was not interested in purchasing until improvements and revenue

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were shown. The BDC met to see if they would front \$1 million and they have not made a decision since they have been hit in other areas to spend funds.

Manager Gerrish said he talked to the state to see if the town can use \$400,000 for the Times Record Building from the other building sold, and that is possible.

Manager Gerrish asked that \$200,000 for Phase 2 be approved, which would be sufficient at this point since this work is ongoing.

Manager Gerrish said the initial conversation was to lease some of the building and now the community college is interested in the possibility of purchasing it.

Chair King said the full Council supported this project. Mr. Eldridge added this is part of the deal with the college; the town has to do the necessary work.

Councilor Webb requested to revise the request to \$200,000 and to use the funds from the CDBG funds if they becomes available.

Mr. Eldridge said the CDBG grant money has to come back to the Council for their approval as what to do with it. He said the town can do \$200,000, but he is not sure of the roof schedule.

Councilor Ewing moved, Councilor Daughtry seconded, to adopt the Resolution for an Emergency Appropriation of \$200,000 from Unappropriated Available General Fund Revenues to Fund Renovations at the Times Record Building. The motion carried with six (6) yeas. Councilor Ewing was opposed.

Councilor Schneider moved, Councilor Daughtry seconded, to adjourn meeting and go into Budget Workshop. The motion carried with seven (7) yeas.

The meeting adjourned at 8:25 p.m.

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

*Frances M. Smith
Town Clerk
June 25, 2007*

- 137. The Town Council will hear public comments on ordinance amendments prohibiting commercial vehicles from using Union Street from Weymouth Street to McKeen Street, and will take any appropriate action.**

Manager Gerrish said this item is for public comments on ordinance amendments regarding prohibiting commercial vehicles from using Union Street from Weymouth Street to McKeen Street, except for service or access to properties on or adjacent to those streets.

Chair King opened the public hearing.

John Donovan, 11 McKeen Street, said the traffic has been increasing over the years and the tractor trailer traffic has also increased. Their wide turns are a concern and a safety issue. He supported this amendment.

Sarah Brayman, 10 McKeen Street, spoke in support of amendments. This is a follow-up on action the Council took 1 ½ years ago when signage was tried, but did not work, so there needed to be an ordinance.

Chair King closed the public hearing.

Councilor Watson moved, Councilor Favreau seconded, to adopt amendments to the Municipal Code of Ordinances Chapter 15, Section 15-106, regarding prohibiting commercial vehicles from using Union Street from Weymouth Street to McKeen Street except for service or access to properties on or adjacent to those streets. The motion carried with eight (8) yeas.

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

- 138. The Town Council will hear public comments on the grant funds from the State of Maine Investment Trust Fund program to be used to complete remediation and infrastructure at the Maine Street Station site, and will take any appropriate action.**

Amanda Similien, Economic Development Specialist, spoke on these two grants. The town received a grant for \$350,000 from the State of Maine Municipal Investment Trust Fund program and a Community Development Block Grant for \$300,000 to continue the remediation and infrastructure work at the Maine Street Station.

(A copy of a memo from Mat Eddy will be attached to official minutes.)

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

Councilor Klatt asked if the Council ever voted to hold a public hearing and why the advertisement was different than other ones done for other public hearings. She also asked if it was in the Times Record, to which Ms. Similien responded yes.

Manager Gerrish added since this is part of the Federal Program's requirements, the staff puts the advertisements out without the Council formally setting the public hearing like they do for changes to town ordinances. This process has been used in the past.

Councilor Daughtry moved, Councilor Watson seconded, to accept and expend grant monies in the amount of \$350,000 from the State of Maine Municipal Investment Trust Fund program to be used to complete remediation and infrastructure at the Maine Street Station. The motion carried with seven (7) yeas. Councilor Klatt was opposed.

139. The Town Council will hear public comments on the grant funds from the State of Maine Community Development Block Grant program to be used to complete remediation and infrastructure at the Maine Street Station site, and will take any appropriate action.

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

Councilor Knight moved, Councilor Favreau seconded, to accept and expend grant monies in the amount of \$300,000 from the State of Maine Community Development Block Grant program to be used to complete remediation and infrastructure at the Maine Street Station. The motion carried with seven (7) yeas. Councilor Klatt was opposed.

140. The Town Council will consider approval of the Merryman Lane Settlement and required easements, and will take any appropriate action.

Pat Scully, Town Attorney, gave an overview on what is happening. There is a copy of all settlement documents and mutual release; the settlement agreement is the core of it. It deals with a turnaround, plowing, and easements. The action for the Council is to approve the settlement, and, second, to accept three sets of easements, along with the discontinuance of a section of the road. The easements are for the Water District, the Eastmans, and the Coombs'.

(A copy of the Settlement and Mr. Scully's memo will be attached to the official minutes.)

Councilor Klatt said she was wondering if they as a Council directed the Town Manager to sign this settlement before them.

Manager Gerrish responded that the Council in Executive Session authorized him to work out an agreement.

Councilor Augur clarified that the Council directed him to find a resolution to this matter and that is what the manager did.



Town of Brunswick, Maine
Incorporated 1739

OFFICE OF ECONOMIC DEVELOPMENT

MATHEW EDDY, DIRECTOR OF ECONOMIC DEVELOPMENT

28 FEDERAL STREET
BRUNSWICK, ME 04011
TELEPHONE 207-721-0793
FAX # 207-725-6663

Email: meddy@brunswickme.org

To: Brunswick Town Council
From: Mathew Eddy
Date: August 27, 2008
Subject: MITF and CDBG Authorization

Last week, we met with the Department of Economic and Community Development (DECD) to formalize the process for receiving funds from the Municipal Infrastructure Trust Fund (MITF) and the Community Development Block (CDBG) grants funds. You will remember that we won the MITF funds (\$350,000) through DECD's most recent grant offering. The CDBG funds (\$300,000) are rollover funds that resulted from the sale of the Harbor Technologies building. The funds will be focused on the infrastructure and remediation work that must be done at the entrance from Maine Street and carrying along the front of the Credit Union to roughly where remediation work has already been completed. These funds will be combined with EDA funds to continue the infrastructure work.

We are asking you to hold a public hearing and to authorize the Town Manager to expend the CDBG funds on this project, and to enter into a contract for the MITF funds and expend those funds as well.

ITEM 145

ADDITIONAL MATERIALS
TO FOLLOW AND WILL BE
INSERTED INTO PACKET

ITEM 149

BACK UP MATERIALS

September 25, 2009
W-P Project No. 7087I

Mr. Gary Brown, Town Manager
Town of Brunswick
28 Federal Street
Brunswick, Maine 04011

Subject: Maine Natural Gas Easements

Dear Mr. Brown:

As discussed with you, John Foster and Jim Higgins on Wednesday 9/23/09 Maine Natural Gas (MNG) is requesting easements to install medium density polyethylene (MDPE) natural gas mains within the Municipal parking lots adjacent to the Town office and the Central Fire Station. It is our understanding that the Brunswick Town Council must review and approve this request, as it does for utilities located within public right-of-ways. Based on our discussions and field walks we have prepared the attached documents and supporting exhibits of the proposed easements for review by the Town Council on October 5, 2009.

We appreciate your efforts in this matter, and hope that you will not hesitate to call if additional information is required. Thank you for taking time to review the proposed easements for Maine Natural Gas.

Very truly yours,

WRIGHT-PIERCE


Douglas A. Rice, P.E.
Project Manager

DAR/kmm

Enclosure

cc: John Foster, Town of Brunswick
Darrel Quimby, MNG
Jim Atkins, MNG

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: that Town of Brunswick, of Brunswick, Cumberland County, Maine, hereinafter "Grantor", in consideration of One Dollar, (\$1.00) and other valuable consideration, paid by Maine Natural Gas Corporation, a Maine corporation having a mailing address of: 9 Industrial Parkway, PO Box 99, Brunswick, ME 04011, its successors and assigns, hereinafter "Grantee", the receipt of which is hereby acknowledged, does hereby give, grant, bargain, sell and convey, unto the Grantee, a permanent and perpetual easement, hereinafter the "Easement", for the purpose of constructing, maintaining, operating, replacing, reconstructing, abandoning or removing, a pipeline which shall be and remain the property of Grantee, for the distribution of natural gas under and across the following described land of the Grantor situated in Town of Brunswick, County of Cumberland, State of Maine and more particularly described as follows:

Being a strip of land six (6) feet in width located in the municipal parking lot that is boarder by Bank Street, Federal Street, Center Street and Maine Street conveyed to the Grantor by Town of Brunswick by deed dated 3-19, 1996 and recorded in the Cumberland County Registry of Deeds in Book 196, Page 88. Said strip of land being indicated as Easement Area on a plan entitled: "Maine Natural Gas, Gas Maine Installation, Brunswick, ME. Gas Main Easement, Bank Street to Center Street", a copy of which is attached hereto as "Exhibit A" hereinafter collectively called "Easement Area".

The grant of Easement shall include, and Grantee shall have, all other rights and benefits necessary of convenient for the full enjoyment of the use of the rights herein granted including but not limited to the right to remove any obstructions which might interfere with the use of the Easement.

Provided however, that any damage to the property of the Grantor, caused by the Grantee in the exercise of the rights under the Easement shall be the responsibility of the Grantee and shall be repaired no later than thirty (30) days from the date of said damage.

Grantor shall not excavate, fill or place structures in the Easement Area without obtaining the Grantee's prior written consent.

If the location of the easement interferes with the Grantor's use and enjoyment of his property, then upon the request by the Grantor, Grantee shall remove the pipe and relocate the easement so that it would not interfere with the Grantor's use of the property. The relocation of the easement is at the sole expense of the Grantee.

The rights, title and privileges herein granted may, in whole or in part, be sold, leased, assigned, pledged, and mortgaged, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

The failure of Grantee to exercise any rights herein conveyed in any single instance shall not be considered a waiver of such rights and shall not bar Grantee from exercising any such rights, or if necessary, seeking an appropriate remedy in conjunction with such rights.

Grantor understands and agrees that the person securing the grant is without authority from Grantee to make any agreement with respect to the subject matter not herein expressed.

IN WITNESS WHEREOF the Grantors have signed this instrument this _____ day of _____ 2009.

WITNESS:

(Grantor's Name)

State of Maine

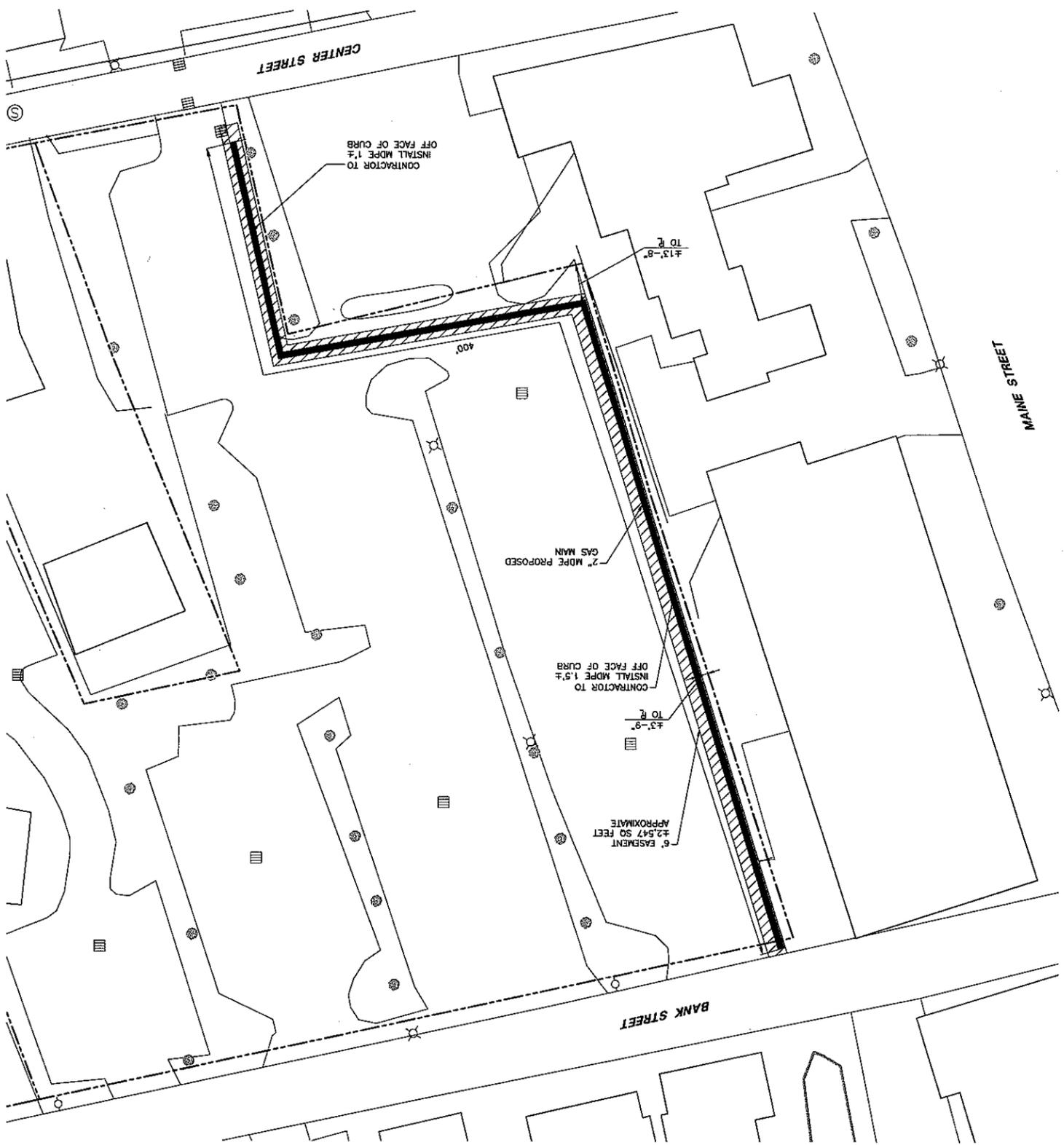
County of Cumberland

_____, 2009

The above named _____ personally appeared before me and acknowledged the foregoing instrument to be their free act and deed.

Printed Name

My Commission Expires: _____



SCALE: 1" = 20'
PLAN

NOTES:
 1. UTILITIES INDICATED ON THE PLANS ARE APPROXIMATE
 ONLY AND SHALL BE FIELD VERIFIED. ADDITIONAL
 UTILITIES NOT INDICATED ON LAYOUT PLAN MUST BE
 FIELD VERIFIED PRIOR TO COMMENCEMENT OF
 CONSTRUCTION.
 2. APPROXIMATE PROPERTY LINE BASED ON BOUNDARY
 SURVEY PROVIDED BY TOWN OF BRUNSWICK.



EXHIBIT A

MAINE NATURAL GAS
GAS MAIN INSTALLATION
 BRUNSWICK MAINE
 GAS MAIN EASEMENT
 BANK STREET - CENTER STREET



WRIGHT-PIERCE
 Engineering a Better Environment
 Offices Throughout New England
 888.621.8156 | www.wright-pierce.com

DRAWN BY _____
 CHECKED BY _____
 DATE _____
 APPROVED BY _____
 DATE _____
 BOOK NO. 70871
 PROJECT NO. AS NOTED
 SCALE AS NOTED

NO	REVISIONS	APP'D	DATE	NO

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: that Town of Brunswick, of Brunswick, Cumberland County, Maine, hereinafter "Grantor", in consideration of One Dollar, (\$1.00) and other valuable consideration, paid by Maine Natural Gas Corporation, a Maine corporation having a mailing address of: 9 Industrial Parkway, PO Box 99, Brunswick, ME 04011, its successors and assigns, hereinafter "Grantee", the receipt of which is hereby acknowledged, does hereby give, grant, bargain, sell and convey, unto the Grantee, a permanent and perpetual easement, hereinafter the "Easement", for the purpose of constructing, maintaining, operating, replacing, reconstructing, abandoning or removing, a pipeline which shall be and remain the property of Grantee, for the distribution of natural gas under and across the following described land of the Grantor situated in Town of Brunswick, County of Cumberland, State of Maine and more particularly described as follows:

Being a strip of land six (6) feet in width located in municipal parking lot and bordered by Cumberland Street, Maine Street, Pleasant Street and Union Street conveyed to the Grantor by Town of Brunswick by deed dated _3-30, 1954 and recorded in the Cumberland County Registry of Deeds in Book 2173, Page 145. and by deed dated _7-15, 1964 and recorded in the Cumberland County Registry of Deeds in Book 2838, Page 54. and by deed dated _10-16, 1869 and recorded in the Cumberland County Registry of Deeds in Book 372, Page 417. Said strip of land being indicated as Easement Area on a plan entitled: "Maine Natural Gas, Gas Maine Installation, Brunswick, ME. Gas Main Easement, Town Hall Place", a copy of which is attached hereto as "Exhibit A" hereinafter collectively called "Easement Area".

The grant of Easement shall include, and Grantee shall have, all other rights and benefits necessary of convenient for the full enjoyment of the use of the rights herein granted including but not limited to the right to remove any obstructions which might interfere with the use of the Easement.

Provided however, that any damage to the property of the Grantor, caused by the Grantee in the exercise of the rights under the Easement shall be the responsibility of the Grantee and shall be repaired no later than thirty (30) days from the date of said damage.

Grantor shall not excavate, fill or place structures in the Easement Area without obtaining the Grantee's prior written consent.

If the location of the easement interferes with the Grantor's use and enjoyment of his property, then upon the request by the Grantor, Grantee shall remove the pipe and relocate the easement so that it would not interfere with the Grantor's use of the property. The relocation of the easement is at the sole expense of the Grantee.

The rights, title and privileges herein granted may, in whole or in part, be sold, leased, assigned, pledged, and mortgaged, and shall be binding upon and inure to the benefit of the

parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

The failure of Grantee to exercise any rights herein conveyed in any single instance shall not be considered a waiver of such rights and shall not bar Grantee from exercising any such rights, or if necessary, seeking an appropriate remedy in conjunction with such rights.

Grantor understands and agrees that the person securing the grant is without authority from Grantee to make any agreement with respect to the subject matter not herein expressed.

IN WITNESS WHEREOF the Grantors have signed this instrument this _____ day of _____ 9

WITNESS:

(Grantor's Name)

State of Maine
County of Cumberland

_____, 2009

The above named _____ personally appeared before me and acknowledged the foregoing instrument to be their free act and deed.

Printed Name

My Commission Expires: _____

ITEM 150

BACK UP MATERIALS

MEMO

To: Brunswick Town Council
Gary Brown, Town Manager
From: Anna Breinich, Director of Planning & Development
Kris Hultgren, Town Planner
Date: September 29, 2009
Subject: Domesticated Chicken Ordinance

PROJECT SUMMARY

The Brunswick Town Council requested proposed ordinance language regulating the keeping of female chickens in zoning districts within the town's growth area. Presently, the keeping of chickens is not permitted in the majority of zoning districts within the designated growth area but is allowed by right or by special permit in the rural area of town. The keeping of chickens in urban areas is becoming commonplace through the United States as more individuals desire home-grown food.

DESCRIPTION AND EXPLANATION OF PROPOSED STANDARDS

A number of ordinances and codes from throughout the United States were reviewed in developing an approach to allow the keeping of chickens in the growth area. During that review it became obvious that many cities and towns, including those in Maine, have opted to regulate the keeping of domesticated chickens through an animal code specific to the keeping of domesticated animals (dogs, cats, ferrets, etc.). The Town of Brunswick Municipal Code of Ordinances contains such an ordinance, Chapter 4 – Animals.

The proposed ordinance regulates a number of issues including waste, noise, odors, licensing and enclosures. A maximum number of 6 chickens are allowed per detached single-family residential property. The keeping of chickens is not allowed on lots with multiple housing units. For a resident to keep chickens, one must obtain an annual license costing \$25 from the Town Clerk's Office.

Kris Hultgren is available to attend the October 5 Town Council meeting to answer any questions the Council may have.

Domesticated Chickens Code Provisions (Proposed as an amendment to Chapter 4, entitled Animals, of the Brunswick Municipal Code of Ordinances and as presented to Brunswick Planning Board, June 2, 2009, AB rev. 9/23/09)

Purpose

The purpose of this Ordinance is to provide standards for the keeping of domesticated chickens. The Ordinance is intended to enable residents to keep a small number of female chickens while limiting the potential adverse impacts on the surrounding neighborhood.

Definitions

Chicken Pen. An enclosure connected to a henhouse for the purpose of allowing chickens to leave the henhouse while remaining in an enclosed, predator-safe environment.

Enclosure. The combined area of a henhouse and chicken pen.

Henhouse. A structure for the sheltering of female chickens. An existing detached shed, garage or barn can be used for this purpose if it meets all the standards contained in this Ordinance.

Section I. Keeping of Domesticated Chickens Located in the Growth Area.

- (a) No more than 6 chickens shall be allowed per single-family detached dwelling property. No chickens shall be permitted within multi-family complexes, including duplexes.
- (b) Only female chickens are permitted with no restriction on chicken species.
- (c) Chickens shall be kept only for personal use.
- (d) Advertising the sale of eggs, chicken breeding or fertilizer production is prohibited.
- (e) Outside slaughtering of chickens is prohibited.

Section II. Enclosure

- (a) Chickens must be kept in a secure henhouse or chicken pen area at all times. At no time shall chickens be kept in a residence including attached structures.
- (b) Chickens shall be secured within the henhouse during non-daylight hours.
- (c) Enclosures must be clean, dry and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of abutters due to noise, odor or other adverse impact.

Section III. Henhouse

- a) A henhouse shall be provided and designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to abutters.
- b) The structures shall be fully enclosed with latchable doors and windows. Windows and vents must be covered with predator and bird proof wire of less than one inch openings.
- c) The henhouse shall be well maintained. The use of scrap, waste board, sheet metal, or similar materials for the construction of the structure is prohibited.
- d) Henhouses shall only be located in rear yards. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks but in no cases shall the henhouse

be closer than 20 feet to the side property line. An enclosure shall not be located in a front yard.

- e) No henhouse shall be located within 20 feet of a rear or side property line.

Section IV. Chicken Pens

- a) Chicken Pens. Chicken pens may be provided. Where provided, the chicken pen shall be attached to the henhouse, consisting of sturdy wire fencing buried at least twelve inches in the ground and shall be covered with wire, aviary netting, or solid roofing in a manner to prevent the escape of chickens. The use of chicken wire is prohibited.
- b) Chicken pens shall only be located in rear yards. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks but in no cases shall the henhouse be closer than 20 feet to the side property line. An enclosure shall not be located in a front yard.
- c) No chicken pen shall be located within 20 feet of a rear or side property line.

Section V. Odor, Noise and Lighting

- a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.
- b) Perceptible noise from chickens shall not be a disturbance to abutters.
- c) Only motion-activated lighting may be used to light the exterior of the henhouse.

Section VI. Waste Storage and Removal

- a) Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof line or lid over the entire structure. All other manure not used for composting or fertilizing shall be removed from the property.

Section VII. Licensing Requirements

- a) A person who keeps domesticated chickens shall obtain a license for a fee of twenty-five (\$25) dollars. The license shall expire annually on the last day of April. The license shall be issued by the Town Clerk after favorable inspection by the Brunswick Animal Control Officer or designee. The twenty-five dollar (\$25) fee is non-refundable if the license is not approved. The initial license shall be assessed on a semi-annual basis. There will be a late fee assessed to licenses that have expired, in the amount of ten dollars (\$10.) The fine will double after the license has been expired for more than thirty (30) days.

Section VIII. Penalty

- a) In addition to any other enforcement action which the town may take, violation of any provision of this article shall be a civil violation and a fine not exceeding one-hundred dollard

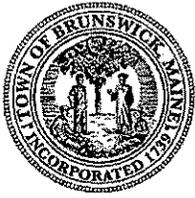
(\$100.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

Section IX. Removal of Chickens

- a) Any violation of the provisions of this article or of the license shall be grounds for an order from the Codes Enforcement Officer to remove the chickens and the chicken-related structures. The Animal Control Officer may also order the removal of the chickens upon a determination that the chickens pose a health risk. If a chicken dies, it must be disposed of promptly in a sanitary manner.

ITEM 151

BACK UP MATERIALS



TOWN OF BRUNSWICK, MAINE
INCORPORATED 1739
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

MEMORANDUM

TO: Town Council
Gary Brown, Town Manager

FROM: Brian K. Dancause *Brian*

DATE: September 29, 2009

SUBJ: Public hearing to accept a \$50,000 CDBG Economic Development grant on behalf of Maine Tool & Machine LLC.

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION PROCESS:

- ✓ On June 3, 2009, Town staff submitted a CDBG Economic Development application on behalf of Maine Tool & Machine. Submission of the application was approved by the Council following a June 1 public hearing.
- ✓ On July 30, 2009, the Maine Department of Economic and Community Development invited the Town into the Project Development phase of the CDBG application process.
- During the project development phase of the application process, the Town must hold a public hearing to give members of the community an opportunity to comment on the project. Additionally, the Council must approve the project by formally voting to accept CDBG funds.
- DECD's Office of Community Development executes a grant contract with the Town, upon completion of the project development phase.

CDBG PROJECT:

CDBG monies will support the relocation and expansion of Maine Tool & Machine to a parcel on Old Portland Road. Maine Tool & Machine is a locally-owned, precision manufacturer of products for the military aviation, medical and high-end residential markets. While the company's markets are growing, it is constrained by both space and adequate power at its present location (2 Industry Road). The \$50,000 CDBG award, which will leverage \$697,500 in project financing, will expand three phase power to the Old Portland Road site, allowing Maine Tool & Machine to expand its production and employment. Maine Tool & Machine has signed a commitment letter with a local bank for project financing.

ITEM 152 and 153

NO BACK UP MATERIALS

ITEM 154

BACK UP MATERIALS

TOWN OF BRUNSWICK
TOWN MANAGERS OFFICE
MEMORANDUM

TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: September 25, 2009

RE: Staffing/OEA funded position

As we begin to complete the transition into the fall season and the filling of the Manager position is now complete, I want to provide the Council with thoughts and recommendations on staffing, the Assistant Manager's position and the OEA funded position.

The OEA funded position should be filled as soon as possible. This position will serve as a staff point of contact between MRRA and the Town of Brunswick. I am recommending that the position will be part of the Department of Economic and Community Development and will report to David Markovchick. The position will have the title of **Special Projects Assistant**. When not working with town departments and MRRA, the position will be working on projects assigned by David or myself as necessary and appropriate. OEA has stipulated that this needs to support a new position rather than simply be a use of their funds to pay for an existing position.

The budget for this position is a combination of OEA and town funds. OEA has agreed to fund this with a grant of \$25,000 for the period of July through December and an additional \$50,000 for January through December 2010. The Town would need to provide the balance of funding. I would suggest that this position be aligned comparable to the position currently held by Brian Dancause. Brunswick's cost would be approximately \$25,000. This amount would cover fringe benefits. The source of the funds can be the base closing fund that has been maintained and currently has a balance of ~\$44,000 or other funds that have been appropriated in the current budget.

The Assistant Manager's position should remain vacant until at least after the November referendums have been voted on and the Special Projects Assistant is filled. If the excise tax referendum passes, we should not fill this position. If the excise tax question is defeated, we may still leave this position vacant until the next budget is more fully developed. While I would appreciate the benefit of additional capacity, I am concerned that it may result in either a short-term situation for the individual hired for this position or the elimination of lower level positions to retain this one.

As you are most likely aware, I have become very reliant upon both John Eldridge and Fran Smith for the past 9 months. I intend to continue in this manner and presuming that the Assistant Manager position remains vacant, I would propose to free up some of Fran's Clerk duties by having Debbie Blum assume some of Fran's tasks. Debbie would manage the reappointment committee and other administrative duties currently being done by Fran. This would free up Fran to continue to assist me in some of the projects and tasks that result from Council meetings and other on-going projects. In addition, the individual hired to fill the Special Project Assistant may fulfill some of the voids left by leaving the Assistant Manager's position vacant.

Jessica Factor has assumed a significantly larger role in human resources for the past 8 months performing all the duties other than union negotiations and discussions that may result in employee termination. I intend to keep her in this capacity and formalize her position and function if the Assistant Manager position remains vacant.

I look forward to discussing these matters with the Council and welcome your suggestions.

ITEM 155

BACK UP MATERIALS

BRUNSWICK CITIZENS

The Brunswick Town Council will be appointing Brunswick citizens on Monday, October 5, 2009, to the following Boards and/or Committees:

Brunswick TV3 Educational Channel Committee

2 Citizen members – Special Committee no set term

Cable TV Committee

3 members – 3 year terms to expire on 09/06/2012

Citizen Initiative Ballot Clarity Board

1 citizen member – No Set Term

Conservation Commission

1 member – 3 year term to expire on 05/01/2012

Davis Fund Committee

1 member – Balance of 3-year term to expire on 06/30/2010

Fair Hearing Authority

2 members – 2 year terms to expire on 10/01/2010

Marine Resource Committee

1 Alternate – balance of 3 year term to expire on 05/01/2010

People Plus Board of Trustees

1 member (Brunswick residents) – 3 year term to expire on 07/01/2012

Recycling and Sustainability Committee

2 members – 3 year terms to expire on 01/01/2013

Sewer District Trustees

1 member – 3 year term to expire on 04/01/2012

Trust Fund Advisory Committee

1 member – 3 year term to expire on 05/10/2012

Village Review Board

1 member – 3 year term to expire on 10/20/2012

Water District Trustees

2 member – 3 year term to expire on 09/13/2012

Zoning Board of Appeals

1 Associate member – balance of 3 year term to expire on 12/18/2011

1 Associate member – 3 year term to expire on 07/01/2012

Interested citizens should complete an application form, available in the Town Clerk's Office or the Town Manager's Office. Please return applications to the Town Clerk's Office by 4:30 P.M. on Monday, August 24, 2009

Individuals needing auxiliary aids for effective communication, please contact the Town Manager's Office at 725-6653 (TDD 725-5521).

Summary of Received Applications

9/16/2009

					Date of Application
Fair Hearing Authority					
Lori Dell		16 Everett Street		607-3976	9/5/2009
Will this be a reappointment	No	Length of term:	Term will expire:	MembershipType:	
Recycling & Sustainability Committee					
Holly Greene		91 Harpwell Rd		751-8445	8/14/2009
Will this be a reappointment	No	Length of term:	Term will expire:	MembershipType:	
Sewer District Trustees					
Emily Boochever		18 Bowker St		721-0887	3/6/2009
Will this be a reappointment	Yes	Length of term:	Term will expire:	MembershipType:	
Water District Trustees					
Harold Hutchinson		230 River Road		725-5227	8/3/2009
Will this be a reappointment	Yes	Length of term:	Term will expire:	MembershipType:	
Richard Moll		38 Federal Str		725-5889	8/5/2009
Will this be a reappointment	Yes	Length of term:	Term will expire:	MembershipType:	

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
Date App. Received
AUG 14 2009
Date App. Entered
Appointed

Full Name: Holly S. Greene Date 8/13/09
Street Address: 91 Harpswell Rd., Brunswick, Me
Home Telephone #: 751-8445 E-mail Address: hollyg97@hotmail.com I live in Council District #: _____

I wish to be considered for appointment to the:
Recycling Committee
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:
FULL MEMBERSHIP STATUS: TERM BEGINS: _____
and/or
ASSOCIATE MEMBERSHIP STATUS: _____ TERM EXPIRES: _____

Do you currently serve on any Town Board/Committee/Commission? NO If so, please state name of Board/Committee/Commission and the number of years of service:
_____ Number of Years _____ Date term expires _____

Occupation: Elementary School Teacher
Employer: Brunswick School Dept. Work Telephone #: 319-1980

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
I would bring my recycling education program from school + hope to form a partnership between town + school practices for recycling.

Have you previously served on a Town board/committee/commission? NO If so, please list the board/committee/commission and years of service:

Holly S. Greene
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment's Committee.
It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Recycling Committee

Term Length: _____

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

no

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

I design + implement elementary school recycling programs.

3. Why would you like to be on the Board/Committee/Commission?

To aid in the above and to hopefully form a partnership between Brunswick Schools + Town Recycling practices.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

/

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
_____ Date App.
_____ Received
_____ Date App.
_____ Entered
_____ Appointed

Full Name: EMILY BOOCHEVER Date 3/6/09

Street Address: 10 BOWKER ST. BRUNSWICK

Home Telephone #: 721-0887 E-mail Address: eboochev@myfairpoint.net I live in Council District #: 5

I wish to be considered for appointment to the:

Board of Trustees of Brunswick Sewer District
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS: _____

TERM BEGINS: 4/1/09

and/or
ASSOCIATE MEMBERSHIP STATUS: _____

TERM EXPIRES: 3/31/12

Do you currently serve on any Town Board/Committee/Commission? If so, please state name of Board/Committee/Commission and the number of years of service:

Bd of Trustees, Bruns. Sewer District Number of Years 3 Date term expires 3/31/09

Occupation: 0

Employer: 0 Work Telephone #: _____

List any civic organizations to which you belong:

0

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Have served 1 term on Sewer District Board of Trustees. I'm familiar with many of the issues facing the District and enjoy serving the Town of Brunswick in this way.

Have you previously served on a Town board/committee/commission? _____ If so, please list the board/committee/commission and years of service:

Emily Boochever
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment's Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Board of Trustees, Bruns. Sewer District

Term Length: 3 yrs

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

I have extensive copy editing experience. I graduated from VME School of Law, 1998 - J.D.

3. Why would you like to be on the Board/Committee/Commission?

I have served one term already and greatly enjoy the Board and learning about wastewater issues.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No.

6. Do you have anything you would like to add?

I hope you will reappoint me to the Board.

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
9-14-09 Date App. Received
_____ Date App. Entered
_____ Appointed

Full Name: Lori Suzanne Dell Date 09/14/2009

Street Address: 16 Everett Street Brunswick

Home Telephone #: 607-3976 E-mail Address: Lorisuzannedell@aol.com I live in Council District #: _____

I wish to be considered for appointment to the:

Fair Hearing Authority

(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS:

and/or

ASSOCIATE MEMBERSHIP STATUS:

TERM BEGINS:

10/01/2010

TERM EXPIRES:

10/01/2012

Do you currently serve on any Town Board/Committee/Commission? NO If so, please state name of Board/Committee/Commission and the number of years of service:

Number of Years _____

Date term expires _____

Occupation: Self employed

Employer: _____

Work Telephone #: _____

List any civic organizations to which you belong:

NONE

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Still attending Southern New Hampshire University. History + English Language + Literature Major.

Have you previously served on a Town board/committee/commission? yes If so, please list the board/committee/commission and years of service:

Former Brunswick Town Board of Code review 1997, Brunswick Town Welfare appeals board 1999, Brunswick Town Traffic + Safety Committee, 3 years on The Memorial day Committee as essay judge.

Lori S. Dell

SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application does not guarantee consideration for a Town Board/Committee or other municipal placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Fair Hearing Authority.

Term Length: 2 years.

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

NO

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

yes, Previous Committee work, Constitutional historian,

3. Why would you like to be on the Board/Committee/Commission?

I like to provide Volunteer Service when I can.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

yes.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NO.

6. Do you have anything you would like to add?

I wish to do my part as a Citizen.

DO NOT WRITE IN THESE SPACES AND HAVE APPLICANT RESPOND IN THESE SPACES

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
Date App. <u>AUG - 5 2009</u> Received
Date App. _____
Entered _____
Appointed _____

Full Name: RICHARD S. MOLL DDS Date AUG 5, 2009
Street Address: 38 FEDERAL ST., BRUNSWICK ME 04011
Home Telephone #: (207) 7255889 E-mail Address: _____ I live in Council District #: 6

I wish to be considered for appointment to the:

WATER DISTRICT TRUSTEE (REAPPOINTMENT)
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS:

TERM BEGINS: 9/13/2009

and/or

ASSOCIATE MEMBERSHIP STATUS:

TERM EXPIRES: 9/13/2012

Do you currently serve on any Town Board/Committee/Commission? YES If so, please state name of Board/Committee/Commission and the number of years of service:

BRUNSWICK TOPSHAM WATER DISTRICT Number of Years 15 Date term expires 9/13/2009

Occupation: DENTIST - GENERAL PRACTICE IN BRUNSWICK

Employer: SELF Work Telephone #: (207) 729-3515

List any civic organizations to which you belong:

FORMERLY BRUNSWICK ROTARY CLUB - PAUL HARRIS FELLOW, CHURCH, CIVIC ENVIRONMENTAL GROUPS? VIA, FRIENDS OF BOWDOIN, LAND TRUST, CONTRIBUTOR TO COX PINNACLE BIKE PATH, LIBRARY

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

15 YEARS EXPERIENCE AS A WATER DISTRICT TRUSTEE, PAST PRESIDENT & VICE PRESIDENT OF TRUSTEES. HAVE ATTENDED VARIOUS WORKSHOPS + MEETINGS OF THE MAINE WATER ASSOCIATION. I HAVE A BACKGROUND IN CHEMISTRY, BACTERIOLOGY & PHYSICS. I HAVE BEEN ENVIRONMENTAL COMMITTEE CHAIR, ROTARY COASTAL CLEANUP COMMITTEE, MERRY MEETING BAY DENTAL SOCIETY PRESIDENT, SECRETARY - TREASURER LONG TERM PRESIDENT + MEMBER STEVENS HOME BOARD OF DIRECTORS

Have you previously served on a Town board/committee/commission? YES If so, please list the board/committee/commission and years of service:

VILLAGE REVIEW BOARD: ASSOC. MEMBER 1992-94

TRUSTEE - BRUNSWICK - TOPSHAM WATER DISTRICT 1994 TO PRESENT

Richard Moll
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application always and only to be considered by a Town Board/Committee but does not guarantee placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: BRUNSWICK - TOPSHAM WATER DISTRICT

Term Length: 3 YEARS 2009 - 2012

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

NO.

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

I HAVE NINE YEARS OF UNIVERSITY TRAINING, 15 YEARS EXPERIENCE ON THE WATER DISTRICT BOARD. I HAVE LONG TERM EMPLOYEES AND MY ELECTION TO LEADERSHIP POSITIONS LEADS ME TO BELIEVE I WORK WELL WITH GROUPS AND INDIVIDUALS, I HAVE FORTY PLUS YEARS AS A DENTAL PROFESSIONAL.

3. Why would you like to be on the Board/Committee/Commission?

I HAVE ENJOYED THE WORK. I RESPECT THE LEADERSHIP OF THE DISTRICT, THE STAFF, AND MY TRUSTEE COLLEAGUES. I WOULD LIKE TO SEE CURRENT PROJECTS TO COMPLETION

4. Are you aware of the time involved and would you be able to attend most of the meetings?

YES. I HAVE A GOOD RECORD OF ATTENDING MEETINGS. I HAVE ADJUSTED MY SCHEDULE TO MAKE THE MEETINGS.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NONE

6. Do you have anything you would like to add?

AS A LONG TIME CITIZEN OF BRUNSWICK, I FEEL LIKE I AM MAKING A CONTRIBUTION TO MY TOWN.

IF CONFLICT OF INTEREST STATEMENT HERE AND HAVE APPLICANT RESPONSIBLE THERE IS ON!

Town of Brunswick
Application for
Appointment to Board/ Committee/ Commission

For Office Use Only
<u>8-3-09</u> Date App. Received
_____ Date App. Entered
_____ Appointed

Full Name: HAROLD BURTON HUTCHINSON Date 08/03/09

Street Address: 230 RIVER ROAD

Home Telephone #: 725-5227 E-mail Address: HASSHEN@MYFAIRPOINT.NET I live in Council District #: 4

I wish to be considered for appointment to the:
BRUNSWICK-TOPSHAM WATER DISTRICT TRUSTEE
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:
FULL MEMBERSHIP STATUS: TERM BEGINS: 9/14/09
and/or
ASSOCIATE MEMBERSHIP STATUS: TERM EXPIRES: 9/13/12

Do you currently serve on any Town Board/Committee/Commission? YES If so, please state name of Board/Committee/Commission and the number of years of service:
BRUN-TOPWATER DIST. TRUSTEE Number of Years 24 Date term expires 9/13/09

Occupation: RETIRED

Employer: N/A Work Telephone #: N/A

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
PUBLIC WORKS DIRECTOR/ENGINEER FOR BRUNSWICK, & YARMOUTH;
CHIEF ENGINEER - PORTLAND & ENGINEER W/WRIGHT PIERCE

Have you previously served on a Town board/committee/commission? _____ If so, please list the board/committee/commission and years of service:
SEE ABOVE
ALSO SERVED 2 YEARS ON PEJEPSCOT HOUSING BD IN '80'S
Harold B. Hutchinson
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

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You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application does not guarantee that you will be considered for a Town Board/Committee position. It is the intent of the Town to televise proceedings of Boards/Committees/Commissions.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: TRUSTEE - BRUN-TOP WATER DISTRICT

Term Length: 3 YEARS

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

CIVIL ENGR. DEGREE AND PROF. ENGR. REGISTRATION
ALSO HAVE SERVED AS PUBLIC WORKS DIR./ENGR. FOR
TOWN OF BRUNSWICK FOR 8 YEARS AND HAVE KNOWLEDGE
OF CONSTRUCTION OF UTILITIES. ALSO DESIGNED MANY
PUBLIC WORKS PROJECTS FOR TOWN AND SEWER DIST.

3. Why would you like to be on the Board/Committee/Commission?

TO BE INVOLVED IN THE WATER DISTRIBUTION
SYSTEM AS IT PERTAINS TO THE CHANGES THAT
WILL BE FORTHCOMING WHEN THE NAVAL AIR STATION
CLOSED.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

YES

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

I WANT TO BE INVOLVED WITH THE CHANGES
THAT ARE COMING RELATING TO THE DECREASED
WATER USAGE AND THE NAVAL AIR STATION CLOSURE.

CONSENT AGENDA - A BACK UP MATERIALS

-Draft-
BRUNSWICK TOWN COUNCIL
MINUTES
September 21, 2009
Executive Session: 6:30 P.M.
7:00 P.M.
Municipal Meeting Room
Maine Street Station
16 Station Avenue

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Joanne T. King, and Deborah R. Atwood.

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk; John Foster, Public Works Director; John Eldridge, Finance Director; Dave Markovchick, Director of Economic and Community Development; Anna Breinich, Director of Planning and Development; Clark Labbe, Fire Chief; Tom Farrell, Director of Parks and Recreation Department; Richard Rizzo, Police Chief; Brian Dancause, Economic Development Specialist; Craig Worth, Deputy Public Works Director; Kris Hultgren, Town Planner; Marc Hagan, Police Commander; Kevin Schofield, Police Commander; Terry Goan, Community Policing Officer; and TV video crew

Chair Daughtry called the meeting to order and asked for roll call.

Executive Session: Acquisition of Real Estate Per 1 M.R.S.A. § 405(6)(C)

Councilor Watson moved, Councilor Favreau seconded, to go into executive session to discuss Acquisition of Real Estate Per 1 M.R.S.A. §405(6)(C). The motion carried with eight (8) yeas. Councilor Knight arrived after the vote.

Chair Daughtry resumed the meeting and asked for the Pledge of Allegiance.

Public Comment:

Pem Schaeffer, Crestview Lane, spoke on his concerns about base re-development.

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

Bernie Coombs, 28 Merryman Lane, spoke about emails discussing DEP violations that are not accurate.

Councilor Klatt responded to Mr. Coombs.

Councilor Favreau and Chair Daughtry also spoke to this.

Correspondence:

There will be a candidate forum on September 30, at 6:30 p.m. at the Council Chambers and it will be televised.

Councilor Atwood, Councilor King, Councilor Favreau, Councilor Klatt, and Councilor Tucker talked about MRRA and its relationship with the Town. The Council asked for a workshop with MRRA to be set up in the near future.

Adjustments to the Agenda:

Councilor Klatt moved, Councilor Tucker seconded, to table Item #145 until the next meeting so additional information can be gathered. The motion carried with nine (9) yeas.

MANAGER'S REPORT:

(a) Council Committee Updates

Reports were given on the following committees: Elementary School Building Committee, Recycling and Sustainability Committee, and the Downtown Master Plan Committee.

Craig Worth, Deputy Public Works Director, gave an update on the Climate Action Plan and Municipal Carbon Footprint.

(b) Recognizing William Collins, Retiring Police Detective

Manager Brown, Chair Daughtry, Chief Rizzo, Commander Schofield and Commander Hagan spoke on Officer Collins' years with the Town. He was presented with plaques from the Police Department and the Town Council.

(c) Introduction of Susan Cole, new Executive Director of People Plus

Charles Frizzle, People Plus, introduced Susan Cole, who also spoke.

(d) Update on Weymouth Street property purchase

Manager Brown gave this update.

(e) Update on Midcoast Council of Government loan for Scarlet Begonias, Inc.

Manager Brown spoke on this item.

Councilor Klatt asked a question, to which Manager Brown responded.

PUBLIC HEARINGS:

135. The Town Council will hear public comments on the following Automobile Graveyard and Junkyard License application, and will take any appropriate action.

**Shawn Letourneau
D/B/A: Brunswick Auto Recycling, LLC
117 Bath Road**

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

Councilor Klatt asked a question to which Fran Smith, Town Clerk, responded.

Councilor Pols recused himself due to prior business relationship with the owner.

Councilor Tucker moved, Councilor King seconded, to approve an application for Automobile Graveyard and Junkyard License for Brunswick Auto Recycling, LLC. The motion carried with seven (7) yeas. Councilor Klatt was opposed. Councilor Pols abstained.

136. The Town Council will hear public comments on a CDBG grant in order to accept \$40,000 on behalf of Coastal Counties Workforce, Inc to fund a WorkReady Credential Training Program, and will take any appropriate action.

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

Councilor Watson, Councilor Knight, and Councilor Klatt asked questions to which Brian Dancause, Economic Development Specialist, responded.

Jade Arn, from WorkReady, explained the application process.

Councilor King moved, Councilor Knight seconded, to accept and expend a CDBG grant in the amount of \$40,000 on behalf of Coastal Counties Workforce, Inc. to fund a WorkReady Credential Training Program. The motion carried with nine (9) yeas.

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

137. The Town Council will hear public comments on Zoning Ordinance amendments regulating the use of small wind energy systems, and will take any appropriate action.

Kris Hultgren, Town Planner, spoke on this item.

Councilor Pols and Councilor Watson asked questions to which Mr. Hultgren responded.

Councilor Favreau and Councilor Pols also spoke on this item.

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

Councilor Tucker moved, Councilor Favreau seconded, to adopt Zoning Ordinance amendments regulating the use of small wind energy systems. The motion carried with nine (9) yeas.

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

TABLED ITEMS:

128. The Town Council will consider setting a public hearing to amend the Cooks Corner TIF, and will take any appropriate action.

John Eldridge spoke on this item.

Councilor Knight, Councilor Klatt, and Councilor Watson spoke on this item.

Mr. Eldridge answered their questions.

Councilor King moved, Councilor Pols seconded, to set a public hearing for October 5, 2009, relative to amending the Cooks Corner TIF agreement. The motion carried with nine (9) yeas.

Councilor King moved, Councilor Pols seconded, to set a public hearing for October 5, 2009, to amend the Bond Ordinance - An Ordinance Amending Prior Bond Ordinance relative to the construction of Bath Road project. The motion carried with nine (9) yeas.

(A copy of a memo and other supporting information from John Eldridge will be attached to the official minutes.)

NEW BUSINESS:

138. The Town Council will consider setting a public hearing on Traffic Ordinance amendments regarding parking regulations for Station Avenue, and will take any appropriate action.

Councilor Pols, Vice Chair, presided over the remainder of the meeting.

Manager Brown spoke on this item.

Councilor Knight and Councilor Watson also spoke on this item.

Councilor Favreau moved, Councilor Watson seconded, to set a public hearing for October 5, 2009, on Chapter 15 Traffic Ordinance amendments regulating parking regulations for Station Avenue. The motion carried with nine (9) yeas.

- 139. The Town Council will hear a report on the Police Station from the Police Station Sub-Committee, and will determine if any future action is required.**

Councilor King, Councilor Watson, and Councilor Tucker spoke on this item.

Councilor Favreau and Councilor Pols also spoke.

Manager Brown responded to questions.

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

- 140. The Town Council will discuss enacting Drug Free Zones in Brunswick, and will take any appropriate action.**

Commander Schofield spoke on this item.

Councilor King, Councilor Watson and Councilor Pols spoke on this item.

Councilor Watson moved, Councilor Favreau seconded, to have the Police take the necessary steps to designate the following locations as Drug Free Zones: Coffin Pond, Edwards Field, Lishness Field, Hambleton Avenue Playground, Nathaniel Davis Park, Shulman Field, Wildwood Field, Coffin Ice Pond, Upper/Lower Mall, Spanish War Triangle, and Androscoggin River Bicycle Path. The motion carried with nine (9) yeas.

(A copy of memos from the Police Department will be attached to the official minutes.)

- 141. The Town Council will consider adopting a Resolution for an Emergency Appropriation of \$55,000 From Unappropriated Available General Fund Revenues to Provide Additional Funding for Maine Street Station Meeting Space, and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor Knight, Councilor Pols, Chair Daughtry, Councilor Klatt, Councilor Tucker and Councilor King spoke and asked questions on this item.

Manager Brown responded to the questions.

Councilor Tucker moved, Councilor Daughtry seconded, to adopt a Resolution for an Emergency Appropriation of \$55,000 from Unappropriated Available General Fund

Revenues to Provide Additional Funding for Maine Street Station Meeting Space. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

(A copy of the Resolution and Manager Brown's memo will be attached to the official minutes.)

- 142. The Town Council will consider entering into a Municipal Station Agreement with the National Railroad Passenger Corporation, Northern New England Passenger Rail Authority, and the Town of Brunswick, and will determine if any future action is necessary.**

Manager Brown spoke on this item.

Councilor Pols spoke on this item.

- 143. The Town Council will consider adopting a Motion to adopt a Resolution Authorizing the Extension of a Master Service Agreement for Municipal Services Provided to Northeast Housing LLC., and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor King and Councilor Watson asked questions to which Manager Brown responded.

Councilor King moved, Councilor Watson seconded, to adopt a Resolution Authorizing the Extension of a Master Service Agreement for Municipal Services Provided to Northeast Housing LLC. The motion carried with nine (9) yeas.

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

- 144. The Town Council will consider joining the Gateway One Steering Committee, and will take any appropriate action.**

Anna Breinich spoke on this item.

Councilor Watson moved, Chair Daughtry seconded, to authorize the Town Manager, Gary Brown, to sign the attached Start-up Agreement for the Implementation of the Gateway 1 Corridor Action Plan and move towards formally adopting the Gateway 1 Corridor Action Plan as an addendum to the 2008 Comprehensive Plan Update within 12 months. The motion carried with nine (9) yeas.

(A copy of the Agreement and Ms. Breinich's memo will be attached to the official minutes.)

- 145. The Town Council will discuss actions surrounding the proceeds of the sale of the Harbor Technology Building and use of the funds, and will determine if any future action is necessary.**

This item was tabled.

CONSENT AGENDA

(a) Approval of the Minutes of September 8, 2009

Councilor Favreau moved, Chair Daughtry seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

Councilor Watson moved, Chair Daughtry seconded, to adjourn the meeting. The motion carried with nine (9) yeas.

The meeting adjourned at 10:00 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

*Frances M. Smith
Town Clerk
September 22, 2009*

October 5, 2009
Date of Approval

Council Chair

CONSENT AGENDA - B BACK UP MATERIALS



TOWN CLERK' OFFICE

To: Town Council

From: Fran Smith, Town Clerk

Date: September 28, 2009

Re: Appointment of Wardens and Deputy Wardens for the November Election

CC: Gary Brown, Town Manager

State Law requires that the municipal officers appoint the Wardens and Deputy Wardens who serve at elections. Attached is a list of those people I am recommending that you appoint to work at our upcoming Election to be held on Tuesday, November 3, 2009.

Thank you

Deputy Warden For the Election Held on 11/3/2009

DISTRICT 1			
Alice	Johnson	Deputy Warden	6:30 a.m. to close
DISTRICT 2			
Joan	Edwards	Deputy Warden	6:30 a.m. to close
DISTRICT 3			
Alice	Duquesnoy	Deputy Warden	6:30 a.m. to close
DISTRICT 4			
James	Bridge	Deputy Warden	6:30 a.m. to close
DISTRICT 5			
Annee	Tara	Deputy Warden	6:30 a.m. to close
DISTRICT 6			
Bob	Galloupe	Deputy Warden	6:30 a.m. to close
DISTRICT 7			
Mary	Biette	Deputy Warden	6:30 a.m. to close

Warden For the Election Held on 11/3/2009

DISTRICT 1			
Sue	Ranger	Warden	6:30 a.m. to close
DISTRICT 3			
Karen	Hastings	Warden	6:30 a.m. to close
DISTRICT 4			
Scott	Bailey	Warden	6:30 a.m. to close
DISTRICT 5			
Chris	Strange	Warden	6:30 a.m. to close
DISTRICT 6			
Marybeth	Burbank	Warden	6:30 a.m. to close
DISTRICT 7			
Joe	Zrioka	Warden	6:30 a.m. to close
DISTRICT C			
Alice	Bean-Andrenyak	Warden	Monday, 9:00 am to 5:00 pm
Alice	Bean-Andrenyak	Warden	6:30 a.m. to close

CONSENT AGENDA - C BACK UP MATERIALS



TOWN OF BRUNSWICK
Town Clerk's Department
207-725-6658

Fran Smith, Town Clerk

MEMO

DATE: April 29, 2009

TO: Town Council

FROM: Fran Smith, Registrar

RE: Voter Registration hours for November 3, 2009
Referendum and Municipal Election

Pursuant to M.R.S.A. Title 21-A, Sec. 122, Subsection 8, the Registrar hereby requests that the extended hours be:

From 8:30 a.m. to 7:00. p.m.
Thursday, October 29

This is the amount of time required by M.R.S.A. Title 21-A, Sec. 122, Subsection 8 and Sec. 125, which have proven to be more than adequate since we accept voter registrations all the hours the Clerk's office is open.

CONSENT AGENDA - D BACK UP MATERIALS

TOWN OF BRUNSWICK
Warrant for Municipal Election
November 3, 2009

COUNTY OF CUMBERLAND, ss}
TOWN OF BRUNSWICK }

TO ELIN M. GOULD, RESIDENT OF THE TOWN OF BRUNSWICK, CUMBERLAND COUNTY, MAINE:

YOU ARE HEREBY REQUIRED, in the name of the State of Maine, to notify and warn the voters of the Town of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 of the following:

YOU ARE HEREBY NOTIFIED, that on November 3, 2009, a Municipal Election will be held in the Town of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 at each of the following seven polling places to vote for the offices indicated herein:

District 1	Perryman Village Community Center		
District 2	Brunswick Junior High School	District 5	Pejepscot Terrace Community Center
District 3	Brunswick High School	District 6	Union Street School
District 4	Recreation Center	District 7	Brunswick Junior High School

Polls open at 8 a.m. and close at 8:00 p.m.

The following offices will be determined:

- Councilor for Districts 3, 4 and one At Large
- School Board for Districts 3, 4, and one At Large

Absentee Ballot Processing:

Processed by: Clerk (Centrally) at Town Hall, 28 Federal Street

Date/Time of Processing:

Day **Before** Election Day (11/2/09)
Inspection Time(s): 9:00 a.m. to 10:00 a.m.
Processing Time(s): 9:00 a.m. to 5:00 p.m.

During Election Day (11/3/09) Processing Time(s): 8:00 a.m., 11:00 a.m., 2:30 p.m., 5:00 p.m. and 8:00 p.m. at the Recreation Center, 30 Federal Street.

Dated at Brunswick this 5th day of October 2009

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ATTEST: _____(Town Clerk)

**TOWN OF BRUNSWICK
RETURN OF WARRANT**

County of Cumberland, ss }
Town of Brunswick }

I certify that I have notified the voters of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 of the time and place of the Municipal Election and processing of absentee ballots by posting attested copies of the within warrant at the following locations, each being a public and conspicuous place within the indicated District:

District 1	Mid Coast Hospital
District 2	Parkview Hospital
District 3	Maquoit Market
District 4	Sunshine Laundry
District 5	Libby's Market
District 6	Grand City
District 7	Warming's Market

On _____, which is at least 7 days prior to Election Day.
(Date)

Dated at Brunswick this _____ day of October, 2009.

Elin M. Gould, Resident of the Town of Brunswick

**CONSENT AGENDA - E
BACK UP MATERIALS**

MEMORANDUM

TO: Gary Brown, Town Manager
FROM: John A. Foster, Director, PWD
DATE: September 28, 2009
SUBJECT: Utility Location Permits – From Maine Natural Gas

Attached, for presentation to the Town Council for approval, are three applications for Utility Location Permits received from Maine Natural Gas.

In application ULP 2009-10 Maine Natural Gas seeks authorization to install a 2” gas main along Bank Street. The gas main will extend, from the existing gas main located under the sidewalk on the west side of Federal Street, under the sidewalk up the south side of Bank Street to the northwest corner of the municipal parking lot, Approximately 350 feet.

In application ULP 2009-11 Maine Natural Gas seeks authorization to install about 3000 feet of 4” gas main on Pleasant Street. The gas main will extend, from the gas main to be installed on the south side of Lavalley Avenue, easterly to Webster Street and westerly to Goodwin Chevrolet. The gas main will be installed under the sidewalk on the south side of Pleasant Street.

In application ULP 2009-12 Maine Natural Gas authorization to install about 1475 feet of 4” gas main on Cumberland Street. The gas main will extend, from the existing gas main located under the sidewalk on the west side of Union Street, easterly almost to Maine Street and westerly to Cushing Street. The gas main will be installed under the sidewalk on the south side of Cumberland Street.

1. Maine Natural is responsible for determining the bounds of the public easement in which the infrastructure is being installed.
2. The gas lines shall have a minimum of 36 inches of cover as proposed on the applications.
3. The final location of the gas line is subject to adjustment, as determined necessary by the Town Engineer, to provide adequate clearance from any actual underground facilities as determined by field verification by each utility.
4. Installation across public ways paved within the past 5 years will be done by directional boring.
5. All work is subject to compliance with the Town’s Street Opening and road restoration requirements.

Town of Brunswick
Public Works Department

Application for Utility Location Permit

DATE September 24, 2009

Permit Number: ULP 2009-10
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and
operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: Bank Street
Starting Point: Federal Street End Point: Town Parking Lot

Bank

Maine Natural Gas proposes to install a 4-inch Medium Density Polyethylene (MDPE) gas main on ~~Pleasant~~ Street. The proposed 2" gas main extension will extend from Federal Street to the Town Parking lot. The extension will run approximately 350 feet and run along the south side of Bank Street approximately

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Darrell R. Quimby

Print Name and Title: Darrell Quimby - Vice President

*If publication is chosen, the entire application above the double line is to be published. Submit completed applications to the address provided above in the objection statement.



**GAS MAIN EXTENSION
TO RICHARD'S RESTAURANT
BRUNSWICK, MAINE**

PROJ NO: **70871** DATE: **SEP 2009**
WRIGHT-PIERCE
Engineering a Better Environment

FIGURE:



PLAN
SCALE: 1" = 50'

CONTRACTOR TO
INSTALL MDPE
1.5' OFF FACE
OF CURB

CONTRACTOR TO
INSTALL MDPE
DIRECTLY UNDER
FACE OF CURB

CONNECT TO EXISTING
4" GAS MAIN
PROPOSED 2"
GAS MAIN

NOTES:

UTILITIES INDICATED ON THE PLANS ARE APPROXIMATE ONLY AND SHALL BE FIELD VERIFIED. ADDITIONAL UTILITIES NOT INDICATED ON LAYOUT PLAN MUST BE FIELD VERIFIED PRIOR TO COMMENCEMENT OF CONSTRUCTION

WO#: _____ DATE: XX-XX-09
 DESCRIPTION: INSTALL 750± FEET 2" MDPE MAIN
 TOTAL FOOTAGE: _____ SIZE: 2" LENGTH: _____
 CONTRACTOR: ETI
 FOREMAN: _____
 TEST INFO: _____ PSI _____ HR(S) NOTE:
 _____ MINS _____ MEDIUM
 PIPE INFORMATION: _____

NO.	REVISIONS	APP'D	DATE

DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 APPROVED BY: _____
 DATE: _____
 BOOK NO. 70671
 PROJECT NO. AS NOTED
 SCALE AS NOTED

WRIGHT-PIERCE
 Engineering a Better Environment
 Offices Throughout New England
 888.621.8156 | www.wright-pierce.com

Maine Natural Gas
 4 Industrial Parkway
 PO Box 99
 Brunswick, Maine 04011

MAINE NATURAL GAS
**GAS MAIN INSTALLATION
 BRUNSWICK MAINE**
 GAS MAIN EXTENSION
 GAS ROUTE TO RICHARD'S RESTAURANT

**Town of Brunswick
Public Works Department**

Application for Utility Location Permit

DATE September 24, 2009

Permit Number: ULP 2009-11
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and

operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: Pleasant Street
Starting Point: Webster Street End Point: Goodwin Chevrolet

Maine Natural Gas proposes to install a 4-inch Medium Density Polyethylene (MDPE) gas main on Pleasant Street. The proposed 4" gas main extension will extend from Webster Street to Goodwin Chevrolet. The extension will run approximately 3,004 feet and run along the south side approximately

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Darrell R. Quimby

Print Name and Title: Darrell Quimby - Vice President

*If publication is chosen, the entire application above the double line is to be published. Submit completed applications to the address provided above in the objection statement.



**GAS MAIN EXTENSION
PLEASANT STREET
BRUNSWICK, MAINE**

PROJ NO: **70871** DATE: **SEP 2009**

WRIGHT-PIERCE
Engineering a Better Environment

FIGURE:

Town of Brunswick
Public Works Department

Application for Utility Location Permit

DATE September 24, 2009

Permit Number: ULP 2009-12
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and
operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: Cumberland Street
Starting Point: Maine Street End Point: Cushing Street

Maine Natural Gas proposes to install a 4-inch Medium Density Polyethylene (MDPE) gas main on ~~Pleasant~~ ^{Cumberland} Street. The proposed 4" gas main extension will extend from 100' prior to Maine Street to Cushing Street. The extension will run approximately 1,476 feet and run along the south side approximately

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Darrell R. Quimby

Print Name and Title: Darrell Quimby - Vice President

*If publication is chosen, the entire application above the double line is to be published. Submit completed applications to the address provided above in the objection statement.

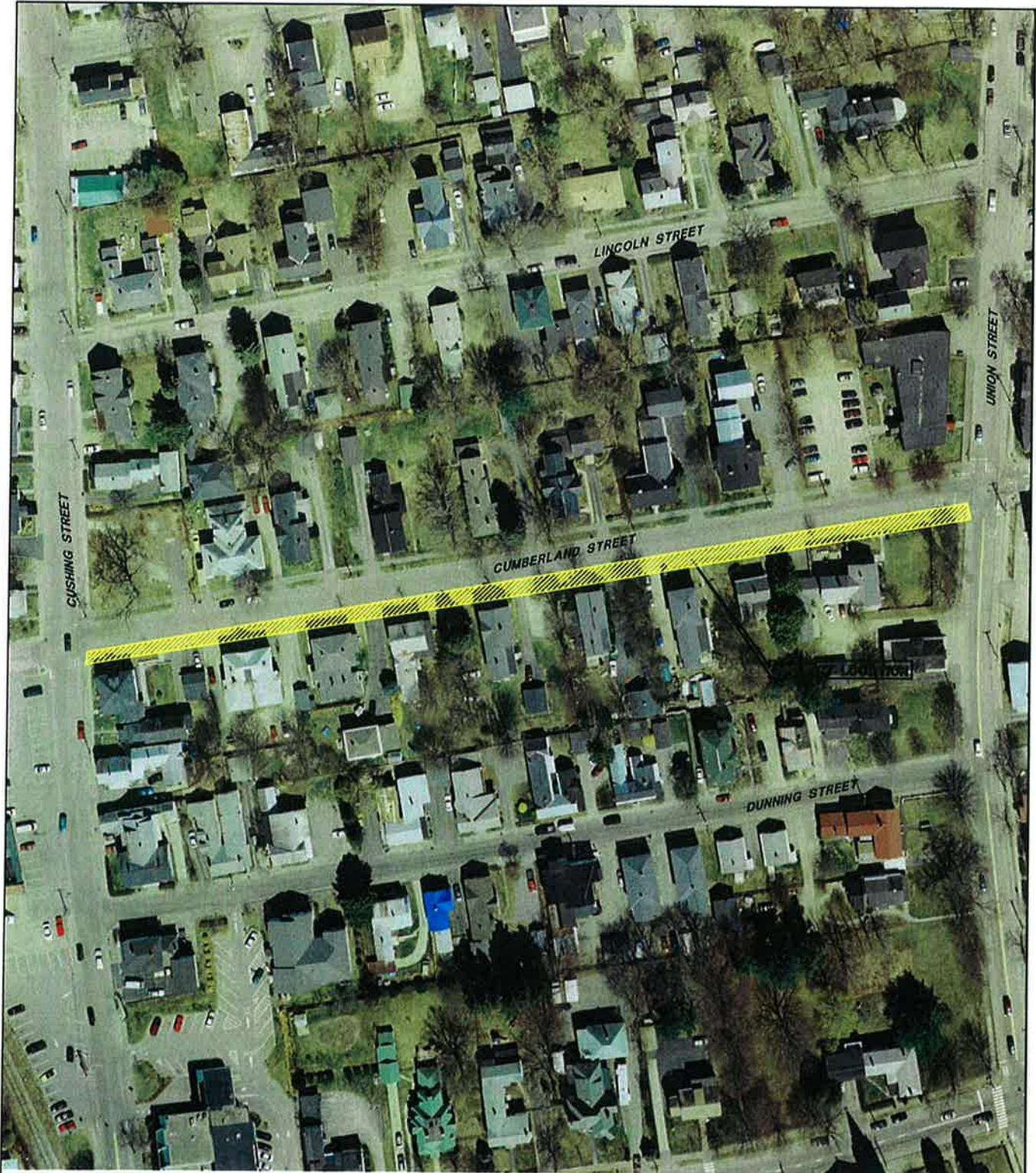


**GAS MAIN EXTENSION
TO SENTERS PLACE
BRUNSWICK, MAINE**

PROJ NO: **70871** | DATE: **SEP 2009**

FIGURE:

WRIGHT-PIERCE
Engineering a Better Environment



**GAS MAIN EXTENSION
CUMBERLAND STREET
BRUNSWICK, MAINE**

PROJ NO:	70871	DATE:	2009	FIGURE:
WRIGHT-PIERCE				
Engineering a Better Environment				

