

BRUNSWICK TOWN COUNCIL

Agenda

July 23, 2012

7:00 P.M.

Municipal Meeting Room

Brunswick Station

16 Station Avenue

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Adjustments to the Agenda:

MANAGER'S REPORT:

- (a) Council Committee Updates
- (b) Introduction of Dr. Ron Cantor, President of SMCC Midcoast Campus
- (c) Nomination Papers availability
- (d) Election of MMA Vice President and Executive Committee Members (*Action Required*)
- (e) Tree work relative to Amtrak coming to Brunswick
- (f) Permission to apply for Safe Routes to School Grant (*Action Required*)
- (g) Support for a grant application for the Androscoggin Riverwalk (*Action Required*):
- (h) Permission to apply for MDOT as a joint application with the City of Bath and Town of West Bath to expand the bike path to Bath (*Action Required*)
- (i) Update on the traffic/pedestrian improvements at Bath Road and Maine Street
- (j) Discussion of August Council meeting schedule

PUBLIC HEARINGS

86. The Town Council will hear public comments on the following Special Amusement License application, and will take any appropriate action. (Manager)

Special Amusement

Bowdoin College

Allen W. DeLong

D/B/A: Bowdoin College Dining Service – Magee’s Grill

David Saul Smith Union

HEARING/ACTION

NEW BUSINESS

87. The Town Council will consider requesting the Planning Board to review the Zoning Ordinance to create amendments to allow office use at 28 Federal Street once it is no longer a municipal building, and will take any appropriate action. (Manager)

ACTION

88. The Town Council will consider providing nominations to the Governor’s Office for the MRRRA Board of Directors, and will take any appropriate action. (Chair King, Councilor Tucker)

ACTION

CONSENT AGENDA

- (a) Approval of the Minutes of July 9, 2012
- (b) Release deed to Boulay Properties, LLC
- (c) Approval of “A Standing Order Authorizing the Treasurer to Issue Declarations of Official Intent on Behalf of the Town of Brunswick, Maine”
- (d) Approval of an application ULP 2012-05, Pleasant Street & Stanwood Street

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

Brunswick Town Council
Agenda
July 23, 2012
Council Notes and Suggested Motions

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 motion required

- (b) Introduction of Dr. Ron Cantor, President of SMCC Midcoast Campus: This item introduces Dr. Ron Cantor to the Council and the public. He will provide a brief update on SMCC activities.

Suggested Motion: No motion required

- (c) Nomination Papers availability: Nomination papers for Town Council and School Board will be available starting on Friday, July 27th, and need to be returned no later than Friday, September 7th. Districts 3, 4 and one At-Large seat for both the Town Council and School Board will be up for election in November.

Suggested Motion: No motion required

- (d) Election of MMA Vice President and Executive Committee Members (*Action Required*): The Council will vote for the MMA Vice-President and Executive Committee Members. There are no contested races. A copy of the information from MMA is included in your packet.

Suggested Motion:

Motion to approve the slate of nominations for the MMA Vice President and Executive Committee Members as presented on the voting ballot.

- (e) Tree work relative to Amtrak coming to Brunswick: This item is to update the Council and the public on tree work necessary to provide adequate visibility of the train by motorists, particularly at street and road crossings. Copies of a memo Manager Brown, state statute references, and aerial maps are included in your packet.

Suggested Motion: No motion required

- (f) Permission to apply for MDOT Transportation Enhancement and/or Safe Routes to School grant through the Quality Community Program (*Actions Required*): At your May 7th meeting you gave permission to submit a Letter of Intent to apply for a MDOT Safe Routes to School grant. Based on a site visit by MDOT, the Town is ready to take the next step of applying for the grant. The proposed revised project is to provide and install a pedestrian activated crosswalk flashing beacon system at four crosswalks to improve

overall bike and pedestrian safety and for children walking or biking to school for an estimated cost of \$125,000.

The Town was encouraged by MDOT to submit an application for consideration under both the Transportation Enhancement Program and Safe Routes to School Program. A 20% local match is required under the Transportation Enhancement Program with assistance being provided in securing funding by concerned citizens. No local match is required under the Safe Routes to School Program. If successful, funding will not be available until mid-2014. Copies of a memo from the Planning and Development Department Director and the draft grant application are included in your packet.

Suggested Motions:

Motion to apply for a MDOT Transportation Enhancement and Safe Routes to School grant.

OR

Motion to apply for a MDOT Safe Routes to School grant.

- (g) Support for a grant application for the Androscoggin Riverwalk (Action Required): This item requests permission to apply for a grant for the Riverwalk under the Quality Community Programs. This grant is from MDOT Federal Transportation Enhancements Funding. The State/Federal Share of the total project cost 80%; the local share of the total project cost 20% with the local share to be raised by the Riverwalk committee. Nancy Randolph will be at your meeting to answer any questions. Copies of materials from Ms. Randolph are included in your packet.

Suggested Motion:

Motion for the Town of Brunswick to support a grant application for the Androscoggin Brunswick-Topsham Riverwalk project in partnership with the Town of Topsham.

- (h) Permission to apply for MDOT as a joint application with the City of Bath and Town of West Bath to expand the bike path to Bath (Action Required): This grant is for the Androscoggin to Kennebec (A2K) Multi-use path proposal to connect the eastern end of the Androscoggin River Bicycle Path (located at the end of Grover Lane in Brunswick) to the western end of the multi-use path on Congress Street in Bath, generally running east-to-west along the existing Route 1 right of way, using MDOT Federal Transportation Enhancements Funding. An application would be submitted for the purpose of subsidizing the preliminary design of the project corridor with the expectation that no local match will be required. This particular segment of a longer corridor is being considered as a trail of statewide significance and as such would require no local match. Copies of a memo from Tom Farrell, a draft application, draft letter of support and other supporting materials are included in your packet.

Suggested Motion:

Motion to authorize a letter of support, and to be a joint applicant for the MDOT grant application for the expansion of the Bike Path.

- (i) Update on the traffic/pedestrian improvements at Bath Road and Maine Street: This item is to update the public on these improvements.

Suggested Motion: No motion required

- (j) Discussion of August Council meeting schedule: This item is to discuss if the Council wishes not to hold any Council meetings in August.

Suggested Motion: No motion required

PUBLIC HEARINGS

86. This item is the required public hearing and approval of a renewal special amusement license for Magee's Grill at Bowdoin College. They are requesting student bands, comedians, acoustic performers, and DJ's. Copies of the public hearing notice and application are included in your packet.

Suggested Motion:

Motion to approve a special amusement license for Magee's Grill at Bowdoin College.

NEW BUSINESS

87. This item is for the Council to request the Planning Board to review the Zoning Ordinance to create amendments to allow office use at 28 Federal Street once it is no longer a municipal building. The proposal from the BDC to exchange the Pleasant/Stanwood Street properties for the current Town Office stipulates that the current use (office building) be allowed to continue after the municipal offices are moved. Currently, under the Zoning Ordinance this use would not be allowed. The first step to change the ordinance is to have the Planning Board review and make recommendations to the Council. Copies of memos from Manager Brown and the Planning Office are included in your packet.

Suggested Motion:

Motion to request the Planning Board review the Zoning Ordinance to create amendments to allow office use at 28 Federal Street once it is no longer a municipal office and to make recommendations to the Council.

88. This item is to consider nominations to the MRRA board to be considered by the Governor's Office. Council leadership is recommending Denise Clavette. A memo from Manager Brown is included in your packet.

Suggested Motion:

Motion to provide the nomination of Denise Clavette to the Governor's Office to be considered for appointment to the MRRA Board of Directors.

CONSENT AGENDA

- (a) Approval of the Minutes of July 9, 2012: A copy of the minutes is included in your packet.
- (b) Release deed to Boulay Properties, LLC: In the process of refinancing, it was discovered that the Town had an undischarged tax lien on the property referenced in the release deed. A few years ago, the Town of Brunswick, Terrace Place, LLC and Boulay Properties, LLC, agreed to certain rights and easements related to this property. An indenture dated May 22, 2007 was recorded in the Cumberland County Registry of Deeds in Book 25222, Page 63. Those rights and easements are retained with this release deed. The release deed was prepared by Bernstein Shur. A copy of the release deed is included in your packet.
- (c) Approval of “A Standing Order Authorizing the Treasurer to Issue Declarations of Official Intent on Behalf of the Town of Brunswick, Maine”: The Internal Revenue Service requires a borrower, that intends to reimburse itself for certain expenditures from the proceeds of a tax-exempt bond issue, adopt a Declaration of Official Intent prior to those expenditures. Typically, the Town has declared its intent to reimburse itself at the time it adopts a bond ordinance or some other funding mechanism (e.g. resolution). The Town has also issued stand-alone declarations in the past when expenditures have occurred prior to the adoption of a bond ordinance.

This proposed order would authorize the treasurer to file a declaration of intent whenever the treasurer believes the Town will incur reimbursable expenditures. This order does not authorize any borrowing or funding. It simply allows the treasurer to declare that the Town intends to issue tax-exempt bonds and that the Town intends to reimburse itself for certain expenditures once the bonds have been issued. The order was drafted in consultation with bond counsel at Bernstein Shur. A copy of the resolution is included in your packet.

- (d) Approval of an application ULP 2012-05, Pleasant Street & Stanwood Street: FairPoint seeks authorization to install an underground telecommunication duct from a utility pole on Stanwood Street. The utility pole will be installed at the southeast corner of the laundromat, to a telecommunication manhole located in the sidewalk on Pleasant Street. There will be about 173 feet of duct on Stanwood Street and about 300 feet of new duct on Pleasant Street. Installation of this telecommunication duct is a result of the Town’s request for redesign of the Pleasant Street and Stanwood Street intersection associated with construction of the new Police Station. Copies of a memo from Public Works and the application are included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.