

BRUNSWICK TOWN COUNCIL

Agenda

March 24, 2014

7:00 P.M.

Council Chambers

Town Hall

85 Union Street

Pledge of Allegiance

Roll Call

Acknowledgment that meeting was properly noticed

Public Comment:

Correspondence

Letter from Brunswick West Neighborhood Coalition (received 03/20/2014)

Email from Chris Casey, Brunswick West Neighborhood Coalition (received on 03/19/2014)

Council Committee Updates

Adjustments to the Agenda

MANAGER'S REPORT:

- (a) Financial Update
- (b) Permission to apply for grant from Firehouse Subs for the Fire Department to purchase RAD 57 meters
- (c) Permission to apply for MMA Safety Enhancement Grant to assist in the cost for an aerial lift for the Recreation Department (*Action required*)
- (d) Authorizing the use of recreation impact fees to pay the Town's portion of the Maine Conservation Corps AmeriCorps Veteran Community Leader program's employee salary to assist with trail development at the Kate Furbish Preserve (*Action required*)
- (e) Permission to accept boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry (*Action required*)
- (f) Report on the Emerson Fire Station HVAC Evaluation
- (g) Review of Budget meeting schedule
- (h) Update on new Town Hall project

PUBLIC HEARING

- 28. The Town Council will hear public comments on amendments to Chapter 11 "Marine Activities, Structures and Ways - Article 1 Harbor, Coastal Tidal and Navigable Fresh Waters" relative to the Harbormaster's authority and mooring requirements, and will take any appropriate action. (Councilor Walker and Councilor Wilson)

PUBLIC HEARING/ACTION

29. The Town Council will hear public comments on applying for a CDBG grant for MRRA to assist with the “Make It In America” grant, and will take any appropriate action. (Manager)

PUBLIC HEARING/ACTION

NEW BUSINESS

30. The Town Council will consider nominations for the MRRA Board, and will take any appropriate action. (Chair Pols)

ACTION

31. The Town Council will consider setting a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 per year, to be enacted on an emergency and regular basis, and will take any appropriate action. (Councilor Walker and Councilor Wilson)

ACTION

32. The Town Council will hear a report from the CIP Committee as they deliver the proposed CIP to the Council, and will take any appropriate action. (Councilor Brayman, Councilor Millett and Councilor Perreault)

DISCUSSION

33. The Town Council will consider extending the Cable TV Franchise Agreement, and will take any appropriate action. (Councilor Watson)

ACTION

34. The Town Council will consider a request for Sellers of Prepared Food on Public Ways for outdoor seating, and will take any appropriate action. (Manager)
Little Saigon, 44 Maine Street
The Great Impasta, 42 Maine Street

ACTION

35. The Town Council will consider a request from Five Rivers Arts Alliance for use of the sidewalks when the ArtWalks occur, and will take any appropriate action. (Manager)

ACTION

CONSENT AGENDA

- a) Approval of the Minutes of March 10, 2014

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

Brunswick Town Council
Agenda
March 24, 2014
Council Notes and Suggested Motions

CORRESPONDENCE:

Letter from Brunswick West Neighborhood Coalition (received 03/20/2014)
Email from Chris Casey, Brunswick West Neighborhood Coalition (received on 03/19/2014)

Chair Pols and Councilor Perreault have requested copies of these be included in your packet.

MANAGER'S REPORT:

- (a) Financial Update: Mr. Eldridge will update the Council on the Town's financial picture to date for the current fiscal year. Copies of financial reports will be posted online, but are not included in your packet.

Suggested Motion: No motion is required.

- (b) Permission to apply for grant from Firehouse Subs for the Fire Department to purchase RAD 57 meters (Action required): This item is to request permission to apply for a grant from Firehouse Subs. The grant is non-matching, 100% funded, for three RAD 57 meters. The meters are used to monitor patients' Carbon Monoxide levels. This would have been useful when the Fire Department recently transported two patients who were in a fire and had high levels within their blood stream. The request is in the amount of \$12,657.00. A copy of a memo from the Fire Department will be included in your packet.

Suggested Motion:

Motion to give permission to apply for, and if received expend, a grant in the amount of \$12,657.00 through Firehouse Subs to purchase RAD 57 meters.

- (c) Permission to apply for MMA Safety Enhancement Grant to assist in the cost for an aerial lift for the Recreation Department (Action required): This request is to ask for permission to apply for this grant in the amount of \$2,000.00 to go toward the \$7,275.00 price of an aerial lift to be used for maintenance of lights, scoreboards, and other ceiling elements in the field house at the Recreation Center. This item was budgeted in the current year and, if awarded, will reduce the cost and provide a savings on this purchase. Peter Baecher will be at your meeting to answer any questions. Copies of a memo from Mr. Baecher and the grant application are included in your packet.

Suggested Motion:

Motion to give permission to apply for, and if received expend, a MMA Safety Enhancement Grant in the amount of \$2,000.00 to go toward the purchase of an aerial lift for the Recreation Department.

- (d) Authorizing the use of recreation impact fees to pay the Town's portion of a Maine Conservation Corps AmeriCorps Veteran Community Leader program's employee to assist with the trail development at the Kate Furbish Preserve (Action required): This item asks the Council to authorize the use of recreation impact fees to pay for the Town's portion of a position through this program. The Town's contribution will be \$12,000.00. The Council authorized a project request to the Maine Conservation Corps AmeriCorps Veteran Community Leader program last July, and in September 2013, Brunswick was notified that it had been selected as a host community. The person will begin April 20th and work through November of this year. Mr. Skakal, who will hold this position, will lead volunteer groups, along with staff, to clear trails on the Kate Furbish Preserve. Copies of a memo from Mr. Farrell, the 2014 project request form, and a trail overview are included in your packet.

Suggested Motion:

Motion to authorize the use of recreation impact fees in the amount of \$12,000.000 to pay the Town's portion of the Maine Conservation Corps program's employee to assist with trail development at the Kate Furbish Preserve.

- (e) Permission to accept boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry (Action required): The Recreation Department has been awarded seven new boarding floats through a Replacement Float Grant for the boat launch at Sawyer Park. They would replace existing floats and come at no cost to the Town. Copies of a memo from Mr. Baecher and the letter of award from the State are included in your packet.

Suggested Motion:

Motion to accept seven boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry.

- (f) Report on the Emerson Fire Station HVAC Evaluation: This is to provide the Council a copy of the Emerson Fire Station HVAC Evaluation as prepared by Wright-Pierce. It identifies areas that need to be repaired at the Station. A copy of the report is included in your packet.

Suggested Motion: No motion is required.

- (g) Review of Budget meeting schedule: Mr. Eldridge has prepared a meeting schedule for the upcoming budget process. A copy of the draft schedule will be included in your packet.

Suggested Motion: No motion is required.

- (h) Update on new Town Hall project: Mr. Eldridge will update the Council and public on this project. We are still planning on closing the Town Office to move on Friday, April 4th through Tuesday, April 8th. The subcommittee met last week, and are recommending calling the new building the Brunswick Town Hall.

PUBLIC HEARING

28. This item is sponsored by Councilor Walker and Councilor Wilson, and is the required public hearing on these amendments relative to the Harbormaster's authority and mooring requirements. In the packet you will find the amendments that were sent to public hearing, along with additional changes as prepared by the attorney. The major addition is changing the appeals process so that it is handled at the local Council level, instead of going directly to the courts. At your last meeting the consensus was to not charge a fee to register moorings for the initial year of implementation. In addition to the two versions of the language, a copy of a memo from Officer Devereaux is included in your packet.

Suggested Motion:

Motion to adopt the amendments to Chapter 11 "Marine Activities, Structures and Ways - Article 1 Harbor, Coastal Tidal and Navigable Fresh Waters" relative to the Harbormaster's authority and mooring requirements.

29. This item is the required Public Hearing for a Community Development Block Grant (CDBG) for the Midcoast Regional Redevelopment Authority's (MRRA) "Make it in America" grant. On February 3, 2014, the Council approved the submission of a Letter of Intent to apply for a CDBG application. The Office of Community Development has reviewed the letter and invited the Town to apply for this grant. MRRA has requested that the Town submit this grant application in the amount of \$250,000 to support the construction of TechPlace at Brunswick Landing. The Council action will be to adopt a resolution. Copies of a memo from Linda Smith, the public hearing notice, proposed resolution, the letter from DECD, draft CDBG grant application, and MRRA's indemnification are included in your packet.

Suggested Motion:

Motion to adopt a "Council Resolution – Community Development Block Grant Economic Development Program" for Midcoast Regional Redevelopment Authority.

NEW BUSINESS

30. At the Town Council's March 10th meeting, Mr. Eldridge announced that the Governor's office has contacted the Town seeking nominations to the Midcoast Regional Redevelopment Authority (MRRA) Board. Further, Brunswick was being asked to submit its nominees by March 25th. The Town Council instructed staff to obtain resumes from those expressing interest in serving on the MRRA Board. The following people put in a resume: William Bodwell, John Bouchard, Philip Dionne, Earle Harvey, Frank Hellar, William Morrell, Gilda Nardone, Randee Reynolds, and Peggy Siegle. Copies of a memo from Mr. Eldridge and resumes are included in your packet.

Suggested Motion:

The Council can select from those who have provided resumes. The Council can nominate as many or as few of the names as they wish to provide to the Governor's office of consideration for appointment.

31. This item is for the Council to consider setting a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 points per year, to be enacted on an emergency and regular basis. The reason for the emergency provision is to ensure it is in place prior to the license season that begins on April 25th. At a special meeting, the Brunswick Marine Resource Committee unanimously voted to support strengthening the required commercial shellfish harvester conservation efforts, and adding American Oysters, European Oysters, and Razor Clams to *Section 11-71 Definitions*. Copies of a memo from Marine Resource Committee and the draft language are included in your packet.

Suggested Motion:

Motion to set a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 per year, along with definition changes to Section 11-71, to be enacted on an emergency and regular basis.

32. This item is sponsored by the CIP Committee, to deliver the proposed CIP to the Council. The plan will be discussed in more detail at a Council workshop. Copies of a memo from the Committee and the draft CIP are provided under separate cover and not in your packet.

Suggested Motion:

No action is required, and the Council will be holding a workshop on the CIP on March 31, 2014.

33. This item is to consider adopting an Order that will extend the current Cable TV Franchise Agreement. The agreement is set to expire on March 31, 2014, but there is language that allows it to be extended. The extension, which goes as long as three years, will allow the Town and Comcast the time necessary to negotiate a new agreement. At your next meeting, the final make-up of the Cable TV Franchise Negotiating Committee will come to the Council for your final approval. The general structure had been discussed last October, but was not finalized at that time. Copies of a memo from Mr. Eldridge and the draft order are included in your packet.

Suggested Motion:

Motion to adopt “An Order Authorizing an Extension of the Cable Television Franchise Agreement.”

34. This item is for two additional renewals of Sellers of Prepared Food on Public Ways Licenses for outdoor seating at Little Saigon and The Great Impasta. They require Council approval. Copies of the applications will be included in your packet.

Suggested Motion:

Motion to approve applications for Sellers of Prepared Food on Public Ways for outdoor seating for Little Saigon, 44 Maine Street, and The Great Impasta, 42 Maine Street.

35. This item is to consider approval of the request from Five Rivers Arts Alliance for music on the sidewalk in front of a variety of locations in the downtown as listed in their memo, when ArtWalks occur. This request is for approval to use these sidewalks from 5 to 8 p.m. on the 2nd Friday of each month May through October. They have requested the \$500 fee be waived, as it has been in the past. A copy of their letter is included in your packet.

Suggested Motion:

Motion to approve the request from the Five Rivers Arts Alliance for sidewalk music in a variety of locations, as outlined in their letter, when ArtWalks occur, and to waive the \$500 fee.

CONSENT AGENDA

- a) Approval of the Minutes of March 10, 2014: A copy of the minutes is included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.